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Diplomová práce



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**Jazyková variace ve vyjadřování minulosti v soudních záznamech
z Old Bailey (*The Proceedings of the Old Bailey*)**

**Variation in expressing the past in *The Proceedings of the Old
Bailey***

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Prohlášení:

Prohlašuji, že jsem tuto diplomovou práci vypracovala samostatně a výhradně s použitím citovaných pramenů, literatury a dalších odborných zdrojů.

I declare that the following MA thesis is my own work for which I used only the sources and literature mentioned.

V Praze, dne 9. srpna 2015

Klíčová slova (česky)

anglický jazyk

historická lingvistika

diachronie

předpřítomný čas

prostý minulý čas

předminulý čas

soudní záznamy z Old Bailey

proces

Klíčová slova (anglicky):

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present perfect

past simple

past perfect

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Abstrakt (česky)

Diplomová práce zkoumá vztahy mezi časy, kterými se v anglickém jazyce vyjadřuje minulost. Mezi tyto časy patří: čas minulý, čas předpřítomný a čas předminulý. Práce je zaměřena na variaci času minulého (v prosté a průběhové formě) a předpřítomného času (též v prosté a průběhové formě). Variací je zde míněno použití minulého času v kontextu předpřítomného času, kde by dnešní angličtina dávala přednost času předpřítomnému, a naopak.

Pro analýzu byly z osmnáctého a devatenáctého století vybrána tři desetiletí (1731–1740, 1791–1800 a 1861–1870), a ta jsou následně porovnána se současnou angličtinou. Všechny jazykové materiály pochází ze soudních záznamů z Old Bailey (*The Proceedings of the Old Bailey*), které představují jeden z nejvěrohodnějších zdrojů dobového mluveného jazyka. Výběr tohoto zdroje vycházel z předpokladu, že přirozený mluvený projev nebyl příliš ovlivněn dobovými gramatikami a že na takovém materiálu by měly být variace nejlépe pozorovatelné. Očekávání, že variace, která v kontextu předpřítomného času používá minulý čas, bude ustupovat až do dnešní podoby, se nenaplnila. Tato variace ustoupila jen částečně v posledním zkoumaném desetiletí (1861–1870) a také se ukázalo, že se hlavně udržuje v lexikalizovaných frázích, která přetrvávají dodnes. Změnilo se prakticky jen to, že v písemném projevu britské angličtiny se tato spojení netolerují.

Případy, kdy se předpřítomný čas objevuje v kontextu minulého času prostého, nejsou v dnešní angličtině tak časté, jako byly ve stoletích předchozích. Taková užití ve století osmnáctém a devatenáctém byla odůvodněná, protože hranice mezi zkoumanými časy nebyla tak ostrá jako dnes. V současnosti se na podobné užití pohlíží spíše jako na chyby. Pozorovatelný nárůst v používání předpřítomného času v příslušném sémantickém kontextu během poslední zkoumané dekády naznačuje stabilizaci pozic jednotlivých časů do podoby dnešní angličtiny.

Abstract (in English)

This thesis explores relationships among the tenses that express the past in the English language. Among these tenses are: past simple, past continuous, present perfect, present perfect continuous, past perfect, and past perfect continuous. The research focuses on the variation between the past simple (which also includes past continuous) and the present perfect (which also includes progressive constructions). The researched variation is the use of the past simple in the context of the present perfect in which the Present-Day English (PDE) would use the present perfect, and vice versa.

Three decades (1731–1740, 1791–1800, and 1861–1870) were chosen from the eighteenth and the nineteenth centuries. The findings were compared to the PDE situation. The material was collected from an online database called *The Proceeding of the Old Bailey*, which is believed to be one of the most reliable sources that are representative of the spoken language of the day. It was thought that the variation would be observed best in spontaneous spoken language. The aim was to study spoken language that was influenced by the grammatical prescriptivism of the age only marginally. There was an expectation that the occurrence of the past simple in the context of the present perfect would gradually decrease throughout the researched periods. Only a slight decrease was observed in the last decade, 1861–1870. Apart from that decrease, the most important findings include the fact that the past simple was used with certain adverbs in lexicalized phrases that have survived till PDE. The only change is that these lexicalized phrases are rarely used in standard written British English.

The second variation in which the present perfect is used in the context of the past simple is not as common in Present-Day (PDE) as it was in Late Modern English. The usage of the eighteenth and the nineteenth centuries is understandable: the divide between the temporal domains of the tenses was not clear. PDE considers such use erroneous. This research has found that the use of the present perfect increased in the middle of the nineteenth century. The increased use, together with other indicators, supports the view that the tense system of the researched period was stabilizing into the shape of the PDE system.

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Abbreviations

OE	Old English
ME	Middle English
EModE	Early Modern English
LModE	Late Modern English
PDE	Present-Day English

Chapter 1: Introduction

From the trial with Isaac Gowlett and William Read, who were indicted of stealing a ewe sheep:

Mr. Ally. Q. *Have you never heard of a reward for prosecuting a sheep-stealer?* - A. No.

Q. *You never heard it from the constable?* - A. No.

Q. *Did you never hear it in your life?* - A. *Who can tell what one has heard in one's life.*

Q. *Did you never hear of such a reward?* - A. *I simply heard something of it to-day.*¹

The above excerpt is from a database called *The Proceedings of the Old Bailey*, 1674–1913 [further referred to as the *Proceedings*], which contains transcripts of trials that were held at London's Central Criminal Court in London. The database served as a source of linguistic material for this research in diachronic variation that explores the position of the present perfect in connection to the preterite in the eighteenth and nineteenth centuries.

Specifically, it looks at the beginning of a stabilization process that is assumed to happen in the nineteenth century when the two tenses were establishing their positions in the temporal system, which is considered more or less fixed in Present-Day English (PDE). The situation was different before the stabilization: the ease with which the speakers of the eighteenth century still interchanged the two tenses was considerable, as is demonstrated by the excerpt above. The aim of this thesis is to shed light on some of the reasons for the variation and on how the use of it differs from the PDE admissibility rules.

The next chapter presents the development of the present perfect from Old English (OE) to PDE, alongside its relationship to the preterite. It also explains the problematic issue of classifying the present perfect in the tense system and offers both continual and discontinual perspectives on the development of the construction. The core of current debates about the grammaticalization and aspectuality of the present perfect is mentioned briefly, too. Since the

¹ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), April 1796, trial of ISAAC GOWLETT WILLIAM READ (t17960406-34). (The italics in the excerpt are mine.)

Proceedings is in fact transcribed spoken English, the chapter deals with the morpho-syntactical issues of the present perfect in spoken PDE and compares them to the differences of written syntax. At the end, it explains why a simplified PDE understanding of the tense is used as prototypical for the comparison with the use in Late Modern English.

The correlation between spoken and written English of the *Proceedings* is analysed in the third chapter which describes the database itself and the history of the criminal records. Also, it provides basic information about the legal and socio-cultural aspects of the criminal records that played a significant role in the transcription process and about the specific language of the Old Bailey trials. The linguistic value of the *Proceedings* is assessed on the basis of facts provided by other linguistic research.

The fourth chapter about methodology names the criteria for collecting the data for this study. Particularly, it describes the collection itself and explains the way the corpus was formed. Also, the chapter lists drawbacks of the chosen criteria, principally the difficulties of counting and distinguishing the forms that make the total numbers.

The penultimate, analytical chapter has two parts: quantitative and qualitative. The quantitative part presents statistical findings. The larger part of the analysis is qualitative and is represented by categories. The categories systematize the findings into ten semantic groups: there are three groups for the present perfect that is formally expressed by the preterite, and six groups of the preterite that is formally expressed by the present perfect. The last, tenth, category contains some cases that could not be classified because the variation does not seem to have an obvious reason.

Outcomes of the research are described in the last chapter, together with a critical view of the study. Apart from that, the chapter gives suggestions for further research, including examining the pluperfect and working with syntax in more detail. Pluperfect constructions are an important part of the variation that expresses the past. Therefore, the pluperfect should be included to provide a complete view of the temporal variation. Further research should also distinguish clausal types, particularly temporal clauses, and sentence types, mainly questions and negative sentences.

Chapter 2: Development of the Present Perfect from Old English to Late Modern English and its Comparison with the Preterite

In diachronic studies, the focus is often on linguistic change. However, linguistic stability is also an essential object of study, as the possibility of tracing conditioning factors, both linguistic and extralinguistic, allows comparison of the situations that appear to encourage change with those which seem to promote stability... (from Introduction to *Nineteenth-century English* (2006) by Kytö, Merja, Rydén, Mats, and Smitterberg, Erik)

This chapter follows the development of the present perfect in the temporal system of the English language, starting as early as the Old English period. The focus of the description is on its relationship to the preterite, as regards both their distinctive and overlapping positions in the tense system. In order to understand the variation in usage in the eighteenth and the nineteenth centuries, it is necessary to have at least some basic knowledge of the PDE situation. An overview of PDE understanding of both tenses is offered in the form of a dialogue among several grammarians. Apart from a diachronic description of the present perfect, contrastive views on its classification are mentioned at the end of the chapter. It is an attempt to provide a glimpse of how challenging it is to draw a straight line between the temporal domains of the present perfect and the preterite.

2.1 Development of the Present Perfect

2.1.1 Early Stages

Even though the origins of the present perfect can be traced as far as Old English texts, there is no doubt that the preterite was the main tool for expressing the past. Elsness (1997: 339) even argues that it accounted for more than eighty per cent of the constructions recorded in

Old English because of the absence of more complex verbal combinations. Rissanen (in Lass 1999: 210) says about the development of the complex verbal combinations that the “roots of the periphrastic forms for the future, perfect and pluperfect can be found as early as Old English. These were established in Middle English, although the simple present and preterite forms were still possible in contexts in which Present-Day English would use periphrastic constructions”. The periphrastic form of present perfect looked different in its early stages and had a shifted meaning from the PDE point of view. Visser (1973: 2189) offers an overview of the main change in the construction:

Originally *have* in colligation with a past participle was a notional verb denoting possession, while the past participle was a complement or attribute to the object and had a good deal of adjective force, *teste* its being (in the beginning) inflected in agreement with the gender and number of the object: *I have my work done* = *I possess or have my work in a done or finished condition*. From this state as a result antecedent action was inferred, so that the colligation came to be used to denote completed action (...). In Present-Day English the word-order in independent syntactical units usually clearly indicates whether state or action is meant, so that *I have my work done* implies the former, and *I have done my work* the latter. For a long time after the Old English period, however, this difference in word-order was without this discriminative force, and the interpretation of constructions with mid-position of the object exclusively depended on situation and/or context. In the sixteenth century there still are numerous instances of patterns with mid-position of the object that would now require the object in post-position. After about Shakespeare’s time the pattern with post-position of the object gradually became the normal one.

According to Traugott (1972: 94), the perfect had developed by the eighth century, though the possessive construction continued to exist side by side with it. Harris and Campbell (1995) assume that the loss of agreement in the perfect, and not in the possessive, is part of the actualization of the reanalysis and argue that “a further part of the actualization of the reanalysis of the *have* perfect was the extension of this construction to transitives in which the

object was not expressed, and eventually to intransitives”. Further, they repeat Visser’s statement in saying that “the former occurs as early as late Old English; the latter begins in the Peterborough Chronicle, an. 1096, with *be*” (Harris and Campbell: 186).

Elsness (1997: 240) summarises the change in word order:

The change in word order that occurred at an early stage in the development of the English perfect construction can be seen as an instance of a more general tendency towards what Stockwell (1977), following Vennemann (1974), calls “exbraciation”. This term refers to the “sentence brace” (German “Satzklammer”) commonly formed by an auxiliary and a main verb in Old English and other Germanic languages (including modern German), with an SvO(V) order. When exbraciation takes place, nominal (or adverbial) elements are removed from within the brace and placed in post-verbal position, so that the auxiliary and the main verb form one continuous element. In the case of the English perfect with a transitive main verb, this means that the past participle main verb moves from a post-object position to the pre-object position familiar from Modern English: “He has the fish caught.” becomes “He has caught the fish.”

Exbraciation is a term expressing Behagel’s First Law (Behagel 1923–32, II). The law states that words that combine to form a constituent, including auxiliaries and main verbs (MV), tend to occur together. “In those languages that developed a simple SVO order from an earlier S–Aux–MV–O, Aux and MV tended to occur together, and S–Aux–MV–O (that is, SVO) was reanalysed as the basic order” (Harris and Campbell: 218).

2.1.2 Be/Have Variation and the Debate about Grammaticalisation

Exbraciation was a change in word order which affected semantic development of the perfective construction. There was, however, another change that was equally important. This one changed the employment and redeployment of auxiliary verbs *be* and *have* that formed the perfective for most of its history. Rissanen (in Lass 1999: 213) provides a short history of their usage in the following words:

From Old English on, both *be* and *have* can be used as (plu)perfect auxiliaries. In Old English, as in present-day German and Dutch, *have* was mainly linked with transitive verbs and *be* with intransitives, although *have* could also be found with intransitives. In Middle English, *have* gradually extends its domain, and in the sixteenth century it is the sole auxiliary with transitive verbs and the predominant one with non-mutative intransitives. It varies with *be* with mutatives.

Continuing in the description, Rissanen (in Lass 1999: 215) gives a short account of the following centuries: “In the eighteenth century *have* gains ground steadily at the expense of *be*, although even at the end of the century *be* is the more common auxiliary with intransitives. The final establishment of *have* as the auxiliary of the (plu)perfect takes place in the early nineteenth century”.

A precise picture of the situation is given by Brorström and Rydén in their study of the *be/have* variation with intransitives. Their research shows that there was a drastic change in the variation between the eighteenth and the nineteenth century. To be more precise, the change in preference, according to their corpus study, took place “in the early decades of the nineteenth century”. Their corpus consisted of private letters and comedies because they wanted to get as close as possible to the “real” speech of the day. Brorström and Rydén (1987: 196) claim that:

the overall *be: have* ratio for the century [meaning the 19th, my note] is approximately 1:3, i.e. the reverse of that obtained for the 18th. The crucial period for the *be/have* paradigm (the locus of the principal momentum change), i.e. the period where *have* attains a paradigmatic majority (+50 percent) – apart from contexts which have apparently “always” favoured *have* – can be fixed, on the evidence of the present data, to the first few decades of the 19th century.

Denison (1993: 366) elaborates on the change in preference by the following statement: “Suggested explanations for the especially rapid retreat of the BE perfect in the eighteenth century (Visser 1963–73: §1898 and others) include possible neutralisation of *is* and *has* in the clitic ‘s, and the attack of prescriptive grammarians”. Brorström and Rydén conclude that the nineteenth-century fate of the variation in which the auxiliary HAVE “almost complete[ed] takeover by the end of the century ... shows a rather flattened S-curve” (1987: 196).

When describing a diachronic change, some linguists talk about grammaticalisation. Fisher and Wurff (in Hogg and Denison 2008: 135) do not regard the development of the perfective forms as a continuous flow from OE as is described above. They say: “Modern present and past tenses are directly derived from the OE synthetic tenses, whereas the progressive and perfect are later, periphrastic developments, which like most periphrastic constructions are less fixed in their meaning, i.e. less grammaticalised”. They argue that the problematic point is the development of the semantic component of the perfective. Its development, nevertheless, is seen as a part of the grammaticalisation process (in Hogg and Denison 2008: 139):

When we consider the rise of the perfect, we note again a slow grammaticalisation process virtually from OE to PDE. During this time there have been formal as well as semantic shifts in the construction itself (which are closely interlinked) and a corresponding shift in the contexts in which it occurs. Important formal changes are the loss of inflection, a change in word order and the gradual narrowing to only one auxiliary of the perfect, i.e. *have*...

The grammaticalisation process in their case includes the development of the perfect with the auxiliary BE and they compare its position to other Germanic languages (in Hogg and Denison 2008: 140):

It is interesting to compare the grammaticalisation of the perfect in English with the same process in other Germanic languages. In all languages of the

Germanic branch the initial development is the same: the occurrence of a form of *be/have* and a past participle, and its use both temporally and aspectually. With the narrowing of its function, the paths begin to diverge, however. In English, and in Swedish, *be* disappears and the structure develops more and more into an aspectual marker. In Dutch and German, on the other hand, both *be* and *have* remain, and the structure becomes part of the tense system. In some German dialects (e.g. Swiss German) the perfect has even replaced the preterite completely as a tense marker. It is interesting to note that in PDE (especially in American English), the perfect now seems to be regressing, i.e. losing ground to the preterite.

In spite of the arguments based on the comparative evidence given above and the PDE development in American English, Elsness (1997: 247) argues that the grammaticalisation process of the present perfect cannot be simplified in such a way and that BE-perfect should be distinguished from HAVE-perfect:

...as is often pointed out, the present perfect with BE continues to denote (present) state more clearly than does that with HAVE, whose shift to a verb form denoting equivocal past time is more marked. Indeed, it may well be argued that the construction with auxiliary BE never attains the status of a full present perfect form, i.e. a form whose reference is definitely to past time.

This argument echoes Denison who carefully studied the early process of grammaticalisation of the present perfect. Denison takes into consideration Gerritsen's² view which claims that the English language developed a grammaticised perfect more slowly than Germanic languages, such as German or Dutch. Gerritsen also states that English used the perfect less often and in fewer functions. Denison, on the basis of Gerritsen's article, considers the process of grammaticalisation of BE perfect (Denison 1993: 360): "As with the HAVE

² Marinel Gerritsen, "Divergent Word Order Developments in Germanic Languages: A description and a tentative explanation," *Historical Syntax*, ed. Jacek Fisiak (Berlin/New York/Amsterdam: Mouton, 1984), 107–135.

perfect there is room for disagreement over which stage should mark grammaticalisation and over what kind of examples would demonstrate its achievement”. Finally, he concludes on a similar but a more tentative note as Elsness (Denison 1993: 363) “It might be simpler to assume that the BE perfect never was fully grammaticised”.

2.1.3 From Early Modern English to Late Modern English

It has been mentioned above that the establishment of the present perfect construction occurred after about Shakespeare’s time, but that does not apply to its position in the emerging tense system. Other studies are more specific than Visser. For example, Manfred Görlach (1991: 111) observes that “the distinctions made in PrE [Present-Day English, my note] were not yet obligatory” in the Early Modern English period (1500–1700, as delimited by him) and that “the semantic distinction of past: perfect was not fully established (cf. Fridén 1948: 27–37)” and also that “the co-existence of these two forms (and misleading classification by contemporary grammarians on the basis of Latin distinctions) made erroneous interpretations possible”. In addition, he agrees with Visser on the fact that there were signs of a tense system evolving to the shape of the PDE system, but “the very low frequency of perfect forms, and the compatibility of preterites with *since* and *never* (and, more rarely, compatibility of the perfect with adverbs indicating actions completed in the past), show that regularity had not been achieved” (Görlach 1991: 111). The last observation by Görlach is in accordance with the belief of some linguists that such constructions are not grammatical in PDE and that they are against so called regularity of the system.

By the Late Modern English period the tense system is fully established, as Rissanen comments in the following passage (in Lass 1999: 210): “At the end of the eighteenth century, a fairly high degree of paradigmatic symmetry exists in the verbal group: various combinations of tense, mood, voice and (to a certain extent) aspect can be systematically expressed by sets of auxiliaries and endings”. This was possible due to the semantic factor as argued by Görlach (1991: 69-70), who draws on Brunner (1960-2): “Only after a strict semantic differentiation of past: perfect had been established in the early eighteenth century, did the sequence of tenses (especially in subject and conditional clauses) become possible: present/perfect/future as against preterite/pluperfect/second future”.

Rissanen (in Lass 1999: 224–225) is more specific about when the difference between the present perfect and the preterite emerges. He says: “Rainer’s (1989) study, based on late Middle and Early Modern English letters, suggests that the distribution between the present,

preterite and perfect tenses had developed by the fifteenth century, although the system of tense forms was probably not established until the end of the seventeenth”. This is supported by the passage from Denison (1993: 366), in which he says that “Gero Bauer’s analysis (1970) of Chaucer and Gower leads him to the conclusion that the modern differentiation of present perfect and simple past had already been attained in a large measure by the end of the fourteenth century”. This is a claim for even an earlier recognizance of the differentiation than those suggested by Görlach or even Rissanen. Denison (1993: 366), in the end, states a similar fact to Görlach about the distinction of the tenses, namely that “the main difference being that certain adverbs which now favour the perfect (*never, since*) seem to have favoured the simple past in Chaucer’s English”. The remnants of this behaviour can be found till at least the middle of the nineteenth century. Despite the regularity and stability of the position the tenses appear to have in the tense system since the nineteenth century, the use of certain adverbials with the present perfect is not as straightforward as Denison or Görlach suggest. The issue will be dealt with in greater detail in later part about the PDE situation.

In contrast to the above described development which is hard to follow due to a myriad of opinions, Elness (1997: 339) offers a basic overview of a situation that does not draw a parallel with PDE:

The distribution between that verb form [auxiliary HAVE] and the preterite is characterised by a rapid and consistent increase in the frequency of the present perfect, mainly at the expense of the preterite, from Old English through Middle English up until early Modern English, from a very modest beginning at less than one per cent of all recorded perfect/preterite verb forms in Old English to thirteen per cent in the period 1550–1600, by which time the present perfect with auxiliary HAVE has become firmly established as the clear number-two form in references to past time.

Even though many linguists stress the stability that started in the second half of the nineteenth century, Fischer and Wurff (in Hogg and Denison 2008: 139), comment on the behaviour of the present perfect at the beginning of the twentieth century: “In the Modern English period, when the perfect was still finding its own niche, so to speak, this distinction was not yet so sharply drawn, so that one could come across [an example like this] (...)

b. The Englishman...has murdered young Herbert...yesterday morning (Galsworthy, *In Chancery*)”

The time when the preterite and the present perfect fixed their positions within certain temporal contexts and with certain adverbials of time was probably the break of the nineteenth-century. Back then, the usage that is condemned by PDE was probably regarded not only as correct, but was used to mark stylistic or semantic nuances in the tense system.

2.1.4 The Present Perfect in the Nineteenth Century

By the nineteenth century, the present perfect had a fixed position in the tense system and its distribution was almost identical with that of PDE. In spite of the stability, there were still incongruous instances of the present perfect in the temporal contexts of the preterite. Visser (1973) shows two ways linguists have tried to explain these ‘incongruities’ in the freshly established regular tense system³, especially when the present perfect occurred with adverbials that are in PDE allowed only with the simple past. He gives examples of scholars, e.g. Poutsma (1926) or F.T. Wood (1958), who accounted for these idioms by suggesting that “the writer or speaker has embarked on the given form before the idea of a temporal adjunct comes into his mind, and then adds this adjunct as a kind of afterthought. Another explanation is based on the assumption that instances like those quoted here may have been seen as survivals of a usage that formerly – when there was not yet the strict line of demarcation between the different uses – occurred quite normally”. (Visser 1973: 2197) The following paragraphs will show whether a strict line was drawn in the nineteenth century and what the natural process of competition between the tenses looked like in LModE.

The first explanation given by Visser in which a speaker first starts with a tense and then adds an ‘inappropriate’ adjunct, accounts for instances that happened not only in LModE but are found in PDE, particularly in natural speech. On the other hand, the second explanation seems a characteristic one of the situation in LModE. Some linguists have pointed out a dimension of the present perfect, closely connected to its aspectual character, which enabled its use in preterite contexts. For example, Sylvia Adamson (in Romaine 1998: 667) says that “the present perfect is the tense of *memory* rather than the tense of record and is used

³ A regular tense system is described by PDE grammarians. Each of the described tenses has its respective position.

by Romantic writers to express ‘the affective presence of past experience’”. There is a similar definition by Visser who commented on the term of ‘perfect of experience’. This was a term given by some grammarians, for example by Zandvoort in 1932, to “a stylistic peculiarity consisting in the use of a perfect in the narration of – mostly repeatedly or habitually recurring – past events to express the present vivid remembrance of the emotion experienced by the speaker when he witnessed these events. The idiom mainly occurs in clauses opening with *when* (here mostly equivalent to *whenever*), but is also used elsewhere, both in Middle and Modern English” (Visser 1973: 2198).

Such hypotheses are based on stylistic studies of the present perfect and serve as an indicator of a slight difference between the present perfect of the nineteenth century and the present perfect of PDE. To be precise, what is allowed with the present perfect in PDE only in colloquial speech was permissible even in the written form in the nineteenth century, at least in the first half of the century.

In order to understand the complex situation of the nineteenth century better, it might be useful to have a general overview starting with Early Modern English (EModE). After EModE the construction becomes more associated with temporal contexts as described by PDE grammarians. Elsness (1997: 339) says about its Modern English use:

Within the Modern English section of our corpus the development of the present/preterite distribution is less clear and less consistent than in Old and Middle English. The rapid increase in the ratio between the present perfect and the preterite discontinues, but the further details vary considerably. Both overall and in respect of most of the parameters we have distinguished there is a slight further increase from 1550–1600 to both the British and the American sections from the period 1750–1800. In American English the ratio drops back markedly from 1750 to the present day, while in British English overall figures show a slight further increase during that time.

In consequence, most of the Late Modern English period can be considered as a period of minor changes. With the ratios of the present perfect and the preterite being the main object of the study, the stabilisation rather than the changes should be talked about. Many linguists link

the development of the construction with the PDE differentiation between the tenses, claiming that: “There can thus be seen to be overwhelming evidence for the conclusion that within the Modern English period the increase in the ratio between the present perfect and the preterite has not only been arrested but reversed as far as American English is concerned, and also considerable evidence to suggest that the ratio has started to decrease even in British English” (Elsness 1997: 341).

2.2 The Perfective in LModE Grammar Books

A grammarian of the eighteenth century, Lindley Murray, wrote a grammar book called *English Grammar, Adapted to the Different Classes of Learners* (first published in 1795), which became “the most influential grammar until the last quarter” of the nineteenth century and which “ran through 20 editions in England and twice that many in America” (Beal 2004: 116). The definition of the present perfect in Murray’s grammar is almost identical to some of the PDE descriptive definitions, except for the notion of ‘(im)propriety’. According to Murray,

the Perfect Tense not only refers to what is past, but also conveys an allusion to the present time (...) When the particular time of any occurrence is specified, as prior to the present time, this time is not used: for it would be improper to say, “I *have seen* him yesterday,” or “I *have finished* my work last week.” In these cases the imperfect is necessary (...) But when we speak indefinitely of anything past, as happening or not happening in the day, year, or age, in which we mention it, the perfect must be employed; as, “I *have seen* him this morning;” “I *have travelled* much this year;” “We *have escaped* many dangers through life.” In referring, however, to such a division of the day as is past before the time of our speaking, we use the imperfect; as, “They *came* home this morning;” “He *was* with them in the afternoon.” (Murray 1797: 61–62).

For Murray, the present perfect is a tense expressing past, which also alludes to the present. Although a prescriptive grammarian, he seems a sensitive observer of the complex nature of

the English grammar, which is best illustrated by the following sentence: “It is not easy to give particular rules for the management of the moods and tenses with respect to one another, so that they may be proper and consistent...” (Murray 1797: 156).

Another of the most influential grammars of the first half of the nineteenth century was William Cobbett’s *A Grammar of the English Language*, first published in 1817. He explains the perfective tenses, called “compound times”, in the following words:

Suppose the subject to be of *my working*, and that I want to tell you, that my work is *ended*; that I have *closed* my work, I cannot, in a short manner, tell you this without the *help* of the verb *to have*. (...) No: I must call in the *help* of the verb *to have*, and tell you I *have* worked; (...) If you reflect a little, you will find a *clear reason* for employing the verb *to have* in this way; for when I say, ‘I *have* worked,’ my words amount to this; that the *act of working* is now *in my possession*. It is *completed*. It is a thing I *own*, and therefore, I say, I *have* it. (Cobbett 1833: 64)

This archaic description of the perfective stresses the completion of an action/event, i.e. from the PDE view, the perfective aspect, not the tense. Nonetheless, the present perfect was felt and understood as a tool for expressing the past. However, it must be borne in mind that the grammar was an instruction book for people of various backgrounds and that it stated not only the prescriptive tendencies of the author, but provided his simplified descriptions of grammatical structures that explained the general understanding of the concepts, as illustrated by the excerpt above.

Cobbett was certainly prescriptive, criticizing even some descriptive attempts of Lindley Murray. In this regard, he says: “I do not like to leave any thing to chance or to discretion when we have a clear principle for our guide” (Cobbett 1833: 126). His concern for the proper use of the auxiliaries *have* and *be* is typical of his period and is echoed in other grammar books as well. Such an approach was influential and might have speeded up, together with other mechanisms promoting ‘correct language’, the division of the temporal contexts of the preterite and the present perfect. It can be assumed that clear guidelines like those mentioned

above contributed to the stabilisation process of the tense system in the second half of the nineteenth century.

2.3 Situation in Present-Day English

It appears that the position of the present perfect in the twentieth century stabilised. An almost exhaustive account of the present perfect in PDE is given by *The Cambridge Grammar of the English Language* (Huddleston and Pullum 2002). The approach is more descriptive than prescriptive. The present perfect tense is classified as non-deictic, as opposed to the deictic simple past that locates T_r [time referred to] as anterior to T_o/T_d [time of orientation/deictic time]” (Huddleston 2002: 140). Two uses are further distinguished: continuative reading, which expresses “complex anteriority”, and that usually “requires reinforcement by time adjuncts” (Huddleston 2002: 141), and non-continuative reading, which is more frequent. The difference between them being in aspectuality: non-continuative has perfective aspectuality. The main point about the present perfect is that the temporal focus is on the present, although the tense covers a time-span from the past until now (Huddleston and Pullum 2002: 143). This means that past time adjuncts are normally excluded from use with the present perfect. In spite of this, the grammar lists some examples of such combinations, which are however rare and restricted. There are, according to the authors, four major types of the present perfect: continuative, experiential, the resultative and the perfect of recent past.

In contrast to Rodney Huddleston and Geoffrey Pullum, the authors of *A Comprehensive Grammar of the English Language* (CGEL) classify the perfect not as a tense, but as an aspect – they argue that this grammatical category “reflects the way in which the verb action is regarded or experienced with respect to time” (Quirk et al. 1985: 188–189). The terminological difference between the two grammars means that the perfective aspect as a term denotes a completed action, but the overlap with tense is necessary since “tense and aspect combine freely in the complex verb phrase” (Quirk et al. 1985: 189). The authors of CGEL then admit that the choice between the present perfect and past simple is most difficult because of the tense–aspect overlap. Two major points are raised: the present perfect “signifies past time with current relevance” and that it “indicates ANTERIOR TIME” (Quirk et al. 1985: 190). Unlike Huddleston and Pullum, the authors of CGEL condemn the use of past time adverbials with the present perfect (Quirk et al. 1985: 192), but they note that the unacceptability is “occasionally ignored”. They list three uses of simple present perfect: a) a

state leading up to the present; b) habit in a period leading up to the present; c) indefinite event(s) leading up to the present (Quirk et al. 1985: 192). Geoffrey Leech in *Meaning and the Verb* (1987) adds to the three main uses, as listed above, a fourth one: the resultative past. *Grammar of the Spoken and Written English* states that “perfect aspect phrases are much less common than simple aspect verb phrases”, but that they are relatively frequent in all registers, which in numbers represent 5–10 percent (Biber 1999: 461).

2.3.1 Written Versus Spoken Form

The almost identical definitions above demonstrate the fixedness of the present perfect and the preterite in different temporal contexts of PDE. The stabilization of their respective positions occurred from the second half of the nineteenth century until the first half of the twentieth century, probably due to the widespread standardization of the written norm and the increase in the publication of English grammars that continued to be more or less prescriptive. In the descriptive publications about the English grammar, the behavioural tendencies of the system are described together with exceptions and irregularities. Exceptions and irregularities are typical of the present perfect and of its position in the tense system, which is ambiguous due to the aspectual nature of the perfective. The most comprehensible overview of the PDE situation seems to be the one given by Fischer and Wurff (–in Hogg and Denison 2008: 139):

The periphrastic form, *have* + past participle, and the preterite can both refer to past time in PDE, but they highlight an activity differently. The use of the preterite indicates that the speaker sees the activity as firmly belonging to a particular moment in the past, whereas the perfect may be used for a past activity somehow linked to the present, or, to put it differently, *not* linked to a *specific* moment in the past. It is this reference to a certain ‘duration’ (i.e. of something from the past ‘lasting’ into the present) that links the perfect to the aspect system, but quite clearly, the perfect also plays a role in the PDE tense system. This difference between perfect and preterite has become more firmly fixed in PDE, so that a past time indicator (e.g. an adverbial expressing a *specific* moment) does not normally co-occur with a present perfect form, although this rule is very much a rule of standard *written* English. In spoken and non-standard English the distinction between the use of the past tense and the perfect is not nearly so clear-cut...

Even Jim Miller (in Fisher and Perridon 2004: 230–31), who studied the behaviour of the present perfect in Scottish English and who was interested in the grammaticalisation process, has difficulty in explaining the behaviour of the present perfect in spoken English:

In formal written English the Perfect construction is solidly fixed, in frequent use and protected by grammars of standard English and by editorial practice. In non-standard English and in spontaneous spoken English (standard and non-standard) the Perfect is not so central. Not only does it face competition from the Simple Past and the resultative constructions (...) but there is strong reason to suppose that the classic Perfect construction is splitting into different constructions distinguished by adverbs (...) When the distinction between formal written English and spontaneous spoken English is taken into account, another interpretation presents itself: that the classic adverb-less Perfect exists only in formal written English and that the different Perfect constructions distinguished by adverbs have always existed in English.

It seems that the situation of the present perfect in spoken PDE is as complex as was its situation in the eighteenth and the nineteenth centuries, though in a different way. It can be argued that the older lexicalized constructions of the present perfect, e.g. constructions with *never*, *ever* and *always* + preterite, have survived better in spoken English than in written English despite the prescriptive influence and the power of media. Some linguists suggest that certain systematic incongruences in spoken English can be explained by phonetic properties of the construction: e.g. Elsness (1997: 355) claims that the distinction between the present perfect and the preterite may be blurred since the perfect auxiliary may be reduced to a sub-auditive level. However, this does not work for questions, negative constructions and cases with distinct preterite/participle forms.

2.3.2 Tense Versus Aspect

The core problem of the present perfect is its aspectual character. Linguists disagree on the issue of the predominance of aspectual character since the present perfect is a part of the tense system and as such it denotes a different temporal zone to the preterite. In *Longman Grammar*, the connection with time referencing is seen like this: “From a semantic point of view, both tense and aspect relate primarily to time distinctions in the verb phrase. However, whereas tense refers primarily to past and present time orientation, aspect relates to considerations such as the completion or lack of completion of events or states described by a verb” (Biber, Conrad, Leech 2010: 460). The problem with classifying the present perfect is in full explained in the *CGEL* (Quirk et al. 1985: 188) in the following way:

The term ASPECT refers to a grammatical category which reflects the way in which the verb action is *regarded* or *experienced* with respect to time. Unlike tense, aspect is not deictic, in that sense that it is not relative to the time of utterance. For some purposes, the two aspect constructions of English, the perfective and the progressive, can be seen as realizing the basic contrast of aspect between the action viewed as complete (perfective), and the action viewed as incomplete, *ie* in progress (imperfective or progressive). But this is an oversimplified view...In fact, it is so closely connected in meaning with tense that the distinction in English grammar between tense and aspect is little more than a terminological convenience which helps us to separate in our minds two different kinds of realization: the morphological realization of tense and the syntactic realization of aspect.

In fact, the aspectual character of the present perfect has been noticed by the eighteenth-century grammarians, for example Cobbett (1833). They included it in the tense system saying that it denoted completed actions as the main feature of what the tense conveyed. The way it is described in those LModE grammar books is similar to the semantic characteristic of the present perfect in its original, Old English meaning, as described by Visser (1973, see p. 15), with the exception of the changed word order. Ivan Poldauf (1948: 268) expresses insecurity about how to classify the present perfect, stressing the inclusive character of the present perfect, in the following words:

The periphrasis with *have* + *past participle* is undoubtedly the formal expression of something outside tense proper. Jespersen speaks of an inclusive or resultative aspect. It seems, however, that inclusion of a special kind is what the so-called perfect tenses express nowadays. The inclusion is regressive, for it is in going back that we decide to include the preceding course of an activity (*I have been living here ten years*) or the activity which has resulted in a state of things (*I have broken my leg*) or the instances in the past capable of a conclusion being derived from them (*I have never been to Italy*).

His observation corresponds to the statistical findings about the four kinds of the perfect (as listed above), summarized by Leech (1987: 40) that “the four senses of the Present Perfect are of very different frequency – by far the most common sense is the last of the four: the resultative. The indefinite past sense (without the resultative implication) is next common. The remaining senses (state-up-to-the-present and habit-up-to-the-present) are considerably less frequent than the other two”.

The question that remains to be answered is if the inclusion has always been done from the same point of view. The comparison of the nineteenth and the twentieth centuries reveals that while in the nineteenth century the perfective is a tool for expressing the past with allusion to the present, some of the PDE grammarians emphasize that the construction now expresses the present with the inclusion of the past. Therefore, the LModE perspective of past inclusion, which is closer to the perspectives of the preceding centuries, might account for the higher formal variation between the preterite and the present perfect. This is in contrast to its variation in the twentieth century in which the temporal inclusion might be felt differently.

2.4 Conclusions Relevant to the Analysis

Since (1) the scholars disagree about the terminology and (2) there is insecurity of how to treat the present perfect semantically, the present perfect has been so far mostly described as a part of the tense system only. In order to avoid terminological confusion in the analysis, the present perfect in this study is used as a tense. Another reason for this simplification is that the research looks into the distributional comparison of the perfect with that of the past

simple. The present perfect rivals the past simple in the context of actions anchored in the past, and the past simple rivals the present perfect in the contexts linked with the present.

After pointing out how difficult it is to establish clear positions of the present perfect and the preterite in the English of the eighteenth and the nineteenth centuries, an unproblematic PDE understanding of the tenses will serve as prototypical for the analysis. The prototypical preterite in this study refers to the past that is not connected with the present, while the prototypical present perfect expresses the past which is in some way linked to the present. In the words of Elsness (1997: 27): “...the preterite is typically selected in cases where the verbal situation is located wholly in the past and there is a past-time anchor with which the situation is associated, while the present perfect is used of unanchored past situations and of situations which extend from the past up to the deictic zero-point or are not clearly separated from that point”.

In chapter five, examples of variation are compared with the prototypical constructions. These are analysed in their context on the basis of known and tolerated irregularities of the LModE tense system. Lastly, their positions in the tense system have been assessed with regard to the development of the present perfect as described above.

Chapter 3: The Proceedings of the Old Bailey

In the eyes of its more fearful residents, eighteenth-century London teetered on the brink of being ruled by ‘the mob’. This was how they referred both to the huge crowds of mostly lower-class people found on its streets and to the disorderly activities they engaged in, from fights and insults to tumults and riots. According to the novelist and magistrate Henry Fielding, by 1752 the mob was so ‘very large and powerful [a] body’ that it had become the fourth estate in the constitution. Encroaching on the powers of the king, lord and commons, he claimed that it had acquired the power of determining which laws would be enforced. (from Shoemaker 2004: xi)

3.1 Historical Background

The Old Bailey Proceedings Online is a digitized collection of all surviving editions of the *Old Bailey Proceedings* together with *Ordinary of Newgate’s Accounts*, containing biographies of executed criminals (these were published from 1676 to 1772). The corpus is named after The Old Bailey courthouse, which was one of the names of the criminal court and a place next to Newgate Prison. It was also known as Justice Hall, the Session House, and it became London’s Central Criminal Court in 1834. From the end of the eighteenth century, the published sessions were referred to as the *Old Bailey Proceedings*, or just the *Proceedings*. The first surviving publication was issued in 1674 and regular publication continued for the next few centuries until its sudden halt in April 1913.

The *Proceedings* started to be published due to the growing demand for literature similar to that of pamphlets and ballads that were based on the true account of lives and trials of notorious criminals. Robert Shoemaker (2004: 238) explains the motives of the sudden expansion of its readership: “...these were widely read by Londoners seeking news, entertainment and moral instruction”. The publication of whole sessions began in November 1678, but, from this time on, it had to be approved beforehand by the Lord Mayor. From around 1712 verbatim testimonies are noticed to appear in the records. By the early eighteenth

century, the *Proceedings* were already an established periodical, though there are no records about their publication for the first years. In the course of time, the *Proceedings* grew in number of pages and in their importance as a commercial enterprise, with its peak between the years 1729–1778.

Then, gradually, the *Proceedings* started to lose popularity. It might be due to the fact that instead of sensational narratives, the town encouraged publication of more objective accounts which were not so interesting for the general public, but which could be used by the City's Recorder as official court records. Meanwhile, the reading audience changed from the ordinary public to predominantly legal. By the time the Old Bailey became the Central Criminal Court, the readership consisted mainly of judicial officials. The audience decreased rapidly at the beginning of the nineteenth century, partly owing to the price. Shortly after the Criminal Appeal Act of 1907 was introduced, the 239 year history of the periodical ended.

3.2 Sociolinguistic Background

The Old Bailey was the central criminal court with the jurisdiction of the City of London and the County of Middlesex. After it was renamed the Central Criminal Court, the jurisdiction was enlarged and included parts of the neighbouring counties. The number of yearly sessions increased from eight to twelve. The court dealt only with serious crimes, which were considered as follows:

- breaking the peace – assault, libel, riot, threatening behaviour, vagabonding, etc.;
- damage to property;
- deception – bankruptcy, forgery, fraud, perjury, etc.;
- killing – infanticide, manslaughter, murder, petty treason, etc.;
- offences against the King (or the Queen) – coining, religious offences, seditious libel, seditious words, seducing from allegiance, tax offences, treason, etc.;
- sexual offences – assault with intent to rape, assault with sodomitical intent, bigamy, keeping a brothel and procuring, indecent assault, rape, sodomy, etc.;
- theft – burglary, pickpocketing, shoplifting, larcenies, robberies etc.;

- other offences such as piracy, kidnapping and preventing justice.⁴

Most of the offenders of the eighteenth and the nineteenth centuries were young, as was the predominating mass of the population of London. The population grew since the first publication of the *Proceedings* from half a million to over seven million when the publication of the *Proceedings* ceased. With the rise of the London population, the rate of crime rose as well. The conditions for settling issues at the court were so favourable that it led to the general abuse of the legal system, as Robert Shoemaker (2004: 224) observes in the following passage: "...Londoners of both sexes and all social classes understood the law and knew how to manipulate the legal system for their own ends. In this sense, going to law was widely seen as a useful means of advancing one's interests".

The records, from the sociolinguistic perspective, lack balance between sexes, since women did not have many rights and went rarely to the Old Bailey as plaintiffs. If they decided to seek legal advice, they usually used other courts instead. Shoemaker (2004: 230) explains the situation of women in the eighteenth century: "... women accounted for only 10 percent of Old Bailey plaintiffs who prosecuted offences against the peace. With the significant exception of the recognizance, even the criminal courts, where the laws of coverture did not apply, failed to provide women with feasible methods of conducting their disputes".

As the expenses and the complexness of the trials at the Old Bailey increased, many people sought to go with their complaints elsewhere or settle them out of the court. One of their possibilities is described by Shoemaker (2004: 220): "The threat of a trial, with all its attendant costs, inconveniences and embarrassment, forced many people who had been indicted or sued, or who were threatened with a lawsuit, to buy off their prosecutors, regardless of the merits of the case". All this was encouraged by the loss of trust in the system of the Old Bailey court. "Complaints about malicious lawsuits and the costs, delays and complexities of going to law are endemic throughout English history, but they reached a peak in this century, when commentators frequently worried that ordinary people preferred to suffer wrongs rather than take the trouble to go to law" (Shoemaker 2004: 224–225). In the end, only people who had enough money were not afraid to go to court.

⁴Clive Emsley, Tim Hitchcock and Robert Shoemaker, "Crime and Justice – Crimes Tried at the Old Bailey," *Old Bailey Proceedings Online, 1674–1913* (www.oldbaileyonline.org, version 7.0, 15 March 2014).

Despite the bad criminal situation that is linked with the beginning of the publication of the trials, Shoemaker (2004: xiii) points out an important change, observable from the records: “...over the course of the century London’s streets became more orderly. By the end of the century the number of riots, insults and murders had declined, and foreign observers were commenting on the fundamental orderliness of the city”. This was to do with the transformation of London’s population. Public life and its manipulation moved from the outdoors of the eighteenth century to the indoors of the nineteenth century. The cultural transformation was over in the early decades of the Victorian age.

3.3 Proceedings as a Historical Source

Since the authenticity was the strongest selling point, the *Proceedings* were mostly reported accurately. Personal appeal to the readership starts early: first-person accounts are recorded since 1710s. The regular verbatim practice, starting in 1720s, was facilitated by the employment of shorthand note takers. In the course of the eighteenth century, the *Proceedings* acquired the position of legal record. In addition, the authenticity of the records was further stressed by the City:

In the 1770s the City began to exercise more scrutiny, and in 1778 it required that the publisher should provide a “true, fair and perfect narrative” of the trials. Consequently, the trial reports became even more detailed, and the *Proceedings* started to provide more uniform coverage, rather than focusing attention on the most entertaining or newsworthy crimes.⁵

During the nineteenth century the readership came to be restricted to lawyers, City officers and Home Office officials. Despite the detailed account, the *Proceedings* never completely covered the trials and were, as a document, regarded by some as confusing and erroneous. This contributed to the end of their publication.

⁵ Tim Hitchcock, Robert Shoemaker, Clive Emsley, Sharon Howard and Jamie McLaughlin, et al., “The Value of the Proceedings as a Historical Source,” *The Old Bailey Proceedings Online, 1674–1913* (www.oldbaileyonline.org, version 7.0, 15 March 2014).

In spite of them being regarded by some people as inaccurate, the selective reporting was necessary to enable readability – mainly at the beginning, when only amusing stories and those involving sex and violence were essential for the enterprise to bloom. The length of trial reports varied, but they always had to be condensed due to the space limitations and the costs. Witness testimonies are the most fully reported elements of the trials while much evidence is missing as regards the role of lawyers and judges. Further, the defence testimony was less well reported and so were the acquittals, which were for some time forbidden to be published because the court feared that people would learnt successful argumentation from the published sessions. It is therefore not surprising that legal arguments were rarely published.

3.4 The Old Bailey Proceedings Online

It is a database of 120 million words, containing 197,745 trials of the Old Bailey or the Central Criminal Court with stated 253,385 defendants, which means that many multiple defendants were tried in the same trial. Most of the trials are made up of the following information: “information about defendants and victims, one or more types of crime, verdict, and if found guilty, punishments”⁶. The shortest trial report has eight words in length and the longest is 320 pages long. Other trials average 590 words each. The transcription error rate is under one percent.

Two factors shaped the form of the texts: the criminal justice system and the process of recording the trial. Both led to the texts being edited and truncated. From 1730s onwards 85 percent of them bear characteristics of spoken language, although not much is usually left from the defence witness statements and the statements where the defendant was acquitted; witnesses’ statements for sodomy or rape cases were forbidden to be published after 1787. Other requirements, dependent on the changing nature of the City of London, influenced witness statements that are the closest to the actual words at court.

3.5 The Linguistic Background

In Huber Magnus’s *The Old Bailey Proceedings, 1674–1834: Evaluating and Annotating a Corpus of 18th- and 19th-Century Spoken English* (2007), the author lists many disadvantages

⁶Tim Hitchcock, Robert Shoemaker, Clive Emsley, Sharon Howard and Jamie McLaughlin, et al., “Doing Statistics,” *The Old Bailey Proceedings Online, 1674–1913* (www.oldbaileyonline.org, version 7.0, 15 March 2014).

of using *The Old Bailey Proceedings Online* for linguistic research. Amongst the most significant is a non-linguistic corpus format of the transcribed reports, which considerably restricts the search.

The authenticity of spoken language is a complex issue and Magnus talks about “several layers of filters that stand between the speech event at the Old Bailey and the linguist trying to reconstruct the spoken language of the period” (Magnus 2007). First, spoken language appears in the *Proceedings* more frequently since 1720s, but a closer look reveals that in the pre-1734 trials, the speech is in the third person singular and in the form of narration. Moreover, it was unlikely that the speech was recorded during the sessions and there was probably a time lapse between the actual speech in court and its publication. Nevertheless, Magnus argues that the time lapse between the speech and shorthand recording was minimal and the lapse between transcriptions from shorthand to publication form seems to be also small. Since 1734 onwards, the proportion of direct speech increases and is more reliable historically and, to a great extent, even linguistically. Still, the recordings are not truly verbatim account of trials, but rather scribes’ faithful versions of them (Magnus 2007).

Magnus points to the scribes’ system of shorthand and the question whether it is possible to recognize the variation of morphological categories in spoken and written language when the symbols were ambiguous. For example, inflections and contractions were not distinguished in one of the scribe’s transcripts – in Gurney’s shorthand. His *brachygraphy* does not make a difference between for example ‘can’ x ‘canst’ and ‘you will’ x ‘you’ll’. Magnus calls it ‘scribal filter effect’ and warns against inconsistencies in statistics because of the characteristics known about individual scribes’ styles, i.e. the way each scribe developed individual shorthand and a unique way of transcribing for example phonological level of speech. As a proof of internal inconsistency of linguistic detail in the corpus, based on the style of different scribes, he presents a micro-study of negative contractions in four scribes of the eighteenth century where a sudden drop in the contracted forms is due to one of the scribes. Apart from the scribes, the proofreaders, typesetters, printers and publishers contributed to the variation of linguistic variables as well, because they could impose their ‘house style’ and idiosyncrasies. Another point, gained from Magnus’ personal correspondence with Shoemaker, is that the language became “more respectable” between 1720 and 1778 due to close City control of the publication process. All those points mentioned above must be taken into account when studying language variation in the *Proceedings*.

Despite all of the negative aspects mentioned above, the *Proceedings* stay as close to the actual speech as the linguist can get. Magnus (2007) states this fact in the following words:

Some studies suggest that comedy drama presents an even more faithful picture, but trial accounts have the advantage that they are based on a real, not an imagined, speech event. Even if they are not completely true to that speech event, they are at least guided by it, whereas dialogue in drama is for the most part simply invented.

3.6 Summary

In spite of the complexness of the sociolinguistic background of the *Proceedings*, the non-linguistic format of the corpus and all the filters that distort direct speech, the trial records are the best material for studying variation in vernacular English of the eighteenth and the nineteenth centuries. Admittedly, syntax might be slightly distorted due to the specific written form of the materials, but the patterns people used and how they differed from the written standard should be visible in the passages of direct speech. The information about the speakers' backgrounds is helpful in distinguishing the educated from the less educated and uneducated participants and should, therefore, distinguish lower class speech, which should show minimal influence of the written language, from the formal speech of the court and the educated.

Chapter 4: Methodology

Unavoidably, the very process of writing speech down reduces validity, either because certain components of speech cannot be rendered in writing or because a writer expresses himself differently than a speaker. (from Schneider in Chambers, Trudgill, and, Schilling-Estes 2002: 84)

4.1 Data Collection

All data used in this research were collected from the online database *The Proceedings of the Old Bailey*, 1674–1913 (www.oldbaileyonline.org), a cooperation project between the Universities of Hertfordshire, Sheffield and the Open University. A corpus of selected trials from the *Proceedings* was created between September 2013 and February 2014. The transcripts that were used are the earliest written documents of direct speech in the English language that were being recorded at the time of speaking by shorthand. Schneider (in Chambers, Trudgill, and Schilling-Estes 2002: 73) classifies “trial records into a recorded category, where the speech event is real/unique, in which the speaker and the writer are different and in which the temporal distance speech-record is immediate”. Although the direct speech appears in the transcripts during the 1720s, it is only recorded systematically from 1731 onwards.

The analysis focuses on three decades and that is why the data are divided into three periods: 1731–1740, 1791–1800, and 1861–1870. The first decade represents the forms of the eighteenth century since it is the first complete decade with direct speech transcripts. The next two decades follow in intervals of approximately four generations. The second decade is a collection of data from the end of the eighteenth century by which time many changes that started to modify the construction of the present perfect during the century should be visible. The last decade is from after the half of the nineteenth century by which time the tense system should be more or less stable, in a form almost identical to the PDE system, and BE auxiliary of the present perfect should rarely occur.

Each decade contains one hundred transcripts – ten transcripts per year. The three hundred transcripts vary in length: from approximately 300 words to approximately 11,000 words. There are several slight differences between each decade in the appearance and style of

transcription, mainly in the way syntax is transcribed, but they are not considered to have an effect on the researched forms.

To insure a broad selection of language variation across the given social spectrum, a series of principles was developed to guide the process of selecting trials for the corpus:

- a) to collect speakers of as many social backgrounds as possible;
- b) ensure that the length of a trial gave enough space to speakers who were involved in the offence;
- c) to avoid trials with too much interruption by lawyers in order to avoid a certain degree of language contamination;
- d) to avoid trials that were a string of questions and answers;
- e) to avoid dialects;
- f) to avoid trials that mainly contained reported speech;
- g) to collect trials for as many different offences as possible (listed in Chapter 3);
- h) and to avoid overly lengthy trials (though there are one or two long trials which were divided into two sessions).

4.2 Delimitation of the Forms for Collection

Three tenses are highlighted in the corpus: the past simple, the present perfect and the past perfect. All three are interconnected in direct speech and cannot be separated in the trials where the speech framework is a narrative of past events. Nevertheless, the scope of the thesis is limited and so the analysis of the past perfect has been excluded from the thesis. The present perfect is analysed semantically in the contexts of the past simple, and, vice versa, the semantics of the past simple is considered in the contexts of the present perfect. The formal expressions of the present perfect in this study are present perfect constructions with auxiliaries BE and HAVE, while the semantic present perfect is found in the form of the past simple. The formal expression of the past simple is the preterite, while the semantic expression of the past simple in this study is the present perfect. All modal verbs and their constructions have been excluded from the statistics, e.g. *might have been*, *could*, *would*.

4.3 Drawbacks of the Methodology

The main issues of direct speech as recorded in the *Proceedings* have been already mentioned in Chapter 3, and it has been agreed that the transcripts render a faithful representation of vernacular language in the specific atmosphere of the court. To some extent, they can be considered as representing the vernacular in general since they are as close to the reality of the

speech event they portray as possible – though the conditions under which they were recorded should be borne in mind when one considers the nature of context.

The drawbacks of the study lie in the requirements for the collected constructions which are quite broad, and in the formal characteristics of the tenses that have been characterised as prototypical in Chapter 2. Further, the analysis does not distinguish between sentence types due to the quantity of collected material, specifically due to the high number of the preterite forms. Since the technique was to count the cases manually and because of the high number of collected cases, the numbers that represent the tenses are not precise. It is estimated that the precise numbers of the past simple are 5 to 7 % higher than those shown in the tables (see p. 43–44). The rate of errors in the collection of the present perfect constructions is much lower and is estimated to be 1 %.

The major issue is the subjectivity of choosing the semantically different constructions, especially those of the present perfect in the context of the preterite. Disagreement can be expressed about the selection itself, but the analysis shows that the constructions can be systematically divided into several groups. The homogeneity of the groups suggests that the variation is not accidental and occurs across speakers of various backgrounds and throughout the selected decades. As a result, the constructions cannot be classified as transcript mistakes. Whether the way the constructions were selected and the manner in which they were classified reveal the tendencies in the variation will be discussed in the next chapter.

Chapter 5: Analysis

Q. You never heard of a stray bullock being recovered? - A. I have heard of their being recovered in that way, but I would scorn to recover any of mine in that way.⁷

This chapter presents the findings and results of the research in the following order: quantitative and then qualitative analysis. The emphasis is on the qualitative part since the results of the quantitative analysis are considered statistically insignificant.

5.1 Quantitative Findings

Table 1 below shows the total numbers that were collected from the corpus. Texts in each decade consists of a different number of words⁸ and that is why there is a big gap between the total number of preterite forms found in the first decade and the last decade. Also, many trials in each decade do not contain any constructions with the present perfect which contributes to the high number of preterite constructions.

The category of *Past Simple Formal Total* includes all preterite forms found in the corpus, e.g. *came, stept, were apprehended, was discharged, did not open, was rubbing, had got, had not* etc. The *Present Perfect Formal Total* gives the number of the present perfect constructions whose form contains either auxiliary BE or HAVE that is followed by a past participle and in which there is no semantic doubt about it being a construction of the present perfect. These are for example: *has given, have said, has not bought, has been washing, have been lighted* etc. The *Past Perfect Total* is similar to the category above, but gives the number of forms of the past perfect, which are more frequent in the corpus than the constructions with the present perfect.

The modal verbs are not included in the numbers since their tense system is different from the other verbs. The construction of *have/had* + past participle with the object in mid-position – so called *causative* – is not included in the numbers of the perfective constructions either.

⁷ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 12 December 2013), February 1796, trial of JOHN ELLISMERE DAVID SLOKAM (t17960217-60). (The italics and underlining in the excerpt are mine.)

⁸ There are approximately 117,622 words in the first decade; 161,065 words in the second decade; and 176,384 words in the last decade.

<i>Table 1</i>	1731–1740	1791–1800	1861–1870
Past Simple Formal Total	10,586	14,818	16,051
Present Perfect Formal Total	405	496	777
Past Perfect Total	596	753	999

Table 1: Total number of cases found in the corpus

Table 2 below shows the frequency of the relevant constructions per one thousand words. The past simple, which is the main narrative tense, is far more frequent than the other tenses and its occurrence is stable and remains the same throughout the eighteenth and the nineteenth centuries. It is certainly due to the fact that major parts of the trials are narratives, but it might also be because “the present perfect and the preterite tend to perform different *thematic functions*: the preterite is used above all to refer to foreground events, especially in narrative contexts, where the preceding context will provide the past-time anchoring usually required by the preterite; the present perfect, on the other hand, is often used of background events, especially events which are temporally isolated in the context” (Elsness 1997: 233).

It seems that the present perfect is used less in the eighteenth century than in the nineteenth century, though the shift appears small. When compared to the past perfect, there is a similar change in the increased use in the nineteenth century; however, it is statistically insignificant so that it cannot be assumed that the development of both tenses was interconnected.

<i>Table 2</i>	1731–1740	1791–1800	1861–1870
Past Simple statistical	90	92	91
Present Perfect formal statistical	3.4	3.1	4.4
Past Perfect statistical	5	4.7	5.6

Table 2: Number of cases per 1000 words

The following two tables show the numbers of semantically and formally disparate constructions. The most frequent constructions of the past simple that are semantically felt to be the present perfect occur with *never*, *ever* and *always*. These form the majority of what is expressed in *Table 3* and *Table 4* as *Present Perfect, formally expressed as Past Simple*. The less frequent, more miscellaneous and more problematic category of *Past Simple, formally expressed as Present Perfect* gives the number of present perfect constructions that are semantically felt to express the definite past of the preterite. The logic of the utterance and the context served as decisive factors in the semantic analysis of the constructions.

It seems that the number of cases where the present perfect is expressed by the preterite decreased and was less used by the middle of the nineteenth century. This might be connected with an increasing use of the actual present perfect in these constructions. No statistical conclusions can be drawn from the numbers of the present perfect constructions that are felt to be the preterite – only that the increase in the last decade might be connected with the increasing use of the present perfect in general (see *Table 2*).

<i>Table 3</i>	1731–1740	1791–1800	1861–1870
Present Perfect, formally expressed as Past Simple	160	150	107
Past Simple, formally expressed as Present Perfect	35	32	66
Total	195	182	173

Table 3: Total number of cases found in the corpus

<i>Table 4</i>	1731–1740	1791–1800	1861–1870
Present Perfect, formally expressed as Past Simple	1.36	0.93	0.61
Past Simple, formally expressed as Present Perfect	0.3	0.2	0.4
Total	1.66	1.13	0.98

Table 4: Number of cases per 1000 words

It needs to be mentioned that there are some cases left out of the numbers due to the ambiguity of their immediate context. The numbers above account for the constructions that could be categorised as such without any problems. Nevertheless, avoiding mistakes in analysing some cases was difficult, especially those where the context was not indicative enough of the time zone. For example, the constructions with *never*, *always* and *ever* can semantically express all the three tenses mentioned. Even the persons present at a trial got sometimes confused what tense was expressed:

Macdonald. Yes; but they came back again into Prince's-Street. Then the Deceas'd (who was a Soldier) came up, in a very dirty pickle indeed, as if he came out of a Hog-

Sty, and as if there was no Water in the Land or the Kennel. And then the Prisoner, whom I never saw before, -

Court. Then look at him, are you sure that's he?

Macdonald. Yes, I know him very well.

Court. What and never saw him before?

Macdonald. Not before that time, but I know him very well now. He came up and ask'd what was the Matter? and the Deceas'd said, I came from beating two Irish Teagues, you are the Third, and upon that he struck the Prisoner.

[from the trial with John Welch, *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 28 October 2013), September 1733, trial of John Welch (t17330912-6).]

The example above illustrates that if the context is not clear enough, the precise tense is difficult to establish.⁹ This, of course, does not apply exclusively just to the constructions with *never*, *always* and *ever*. The other issue that was dealt with frequently and where deciding the tense was sometimes uneasy was analysing the construction *had* + *got*. The construction expresses either the present perfect or the preterite of a possessive construction. In spite of the above mentioned difficulties, most problematic passages were checked several times and therefore the number of mistakes in both cases is assumed to be low.

5.2 Qualitative Analysis

This part consists of a classification of examples¹⁰ selected from the numbers marked as *Present Perfect, formally expressed as Past Simple*, and *Past Simple, formally expressed as Present Perfect*. There are ten categories and each category gives two examples maximum per decade in order to keep the analysis short – more examples can be found in the appendix. The categories are based on the frequency of constructions that are used in a similar way and seem to make a pattern that is used repeatedly throughout the decades. Although the categories group together cases of the same use and the categories differ from one another, there are overlaps among several of them. Cases that do not occur frequently in the corpus are not grouped together into separate categories but are found in one category labelled 'Unclassified'. The examples given in each category are listed chronologically.

⁹ The confusion starts with MacDonald using the preterite instead of the past perfect. The court thinks that MacDonald uses the preterite in the context of the present perfect. The interrogator then uses the preterite to question MacDonald although the context is in the present perfect. MacDonald understands what has caused the confusion and explains what time zone he meant in the clause 'whom I never saw before.'

¹⁰ The examples have been copied and pasted directly from the database without any changes in syntax and punctuation.

5.2.1 Present Perfect, Formally Expressed by Past Simple

A. Never

1. Anthony Dennison. I **have lived** a great many Years in the Neighbourhood of the Prisoner and his Relations; and I never heard any thing of this kind before. He's a Weaver by Trade, and his Parents are honest industrious People.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 November 2013), December 1731, trial of George Mason (t17311208-38).**

The introductory example of the first category illustrates that although the speaker uses the present perfect in the first part of the sentence, he leaves it out in the part with the adverbial *never* which is followed by the adverbial *before*. This is a typical use that occurs throughout the corpus: the speaker introduces the context in the present perfect and then changes the tense due to *never* or the combination of *never* + *before*. The whole frame is semantically felt to be present perfect at the time of ‘a great many Years’, i.e. the hearer assumes that the speaker is still living in the neighbourhood.

2. John Wilson. I buy and sell Things; old Things, or any Thing that comes in my Way. The Prisoner **has come often** to my House within this half Year; but I never miss'd any Thing, tho' I **have had** Rings and Money lying about. The Jury acquitted her.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 29 October 2013), February 1732, trial of Ann Thompson (t17320223-1).**

In the second example, the semantic explanation of the preterite of the phrase ‘I never missed’ is even more pressing due to the clause being in between two clauses with the present perfect constructions. The time indication here is ‘this half Year’, i.e. from half year ago until now.

3. Watkins. I never saw this Man (Chapman) in the House, nor **have I ever drank** with him

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 October 2013), May 1739, trial of Sarah Barnes Margery Akers (t17390502-4).**

4. Q. You never asked any body which was the horse-stealer? - A. No.
Q. Not Weeks, or any body else? - A. No.

Q. Upon your oath have you never asked any body in the house, in the Brown-bear, which was the horse-stealer? - A. I did not.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 January 2014), January 1797, trial of JOHN NOTLEY (t17970111-22).**

5. I never consented that she should go away with the prisoner—I have always forbidden it, and he knows it

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), June 1861, trial of ALFRED CULMER (25) (t18610610-460).**

6. I never struck her in my life—I did not see her fall more than once—we were first of all on the first landing—the injury to me was on the second-floor—I did not see my son at all; I only saw two persons in the room—he has not told me that he was there—he is not living with me; he says he will go where his mother does—I rent a room down at Greenwich, and rent this place as well—my son was living in Poppin's court—this is the hatchet (produced) with which my wife was chopping the bird-cage and the box—I did not see a poker in the room—the policeman has got one in his hand now—I have not spoken to my son about this, he is such a bad boy—he has threatened to kill me before—it was a little before 3 o'clock, as near as I can guess, when the blow was struck—I was not ill-treating my wife at that time—I could take 40,000 oaths I have never ill-treated her in my life

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 12 February 2014), March 1862, trial of CHARLOTTE BOWEN (40) (t18620303-280).**

Examples 3 and 5 demonstrate the present perfect context that comes to the surface structure in the constructions with *ever* and *always*. In contrast, the way of revealing the present perfect context in example 4 is unclear: it is difficult to say whether it is because the first question is elliptical and does not contain the auxiliary *have* or because of the emphatic character of the second question.

The first category shows the formulaic use of *never* in the context of the present perfect where the past simple is used instead. This is one of the most frequently used categories in the *Proceedings*. Geoffrey Leech (1987: 44) comments on the construction in PDE: “There is an idiomatic exception to the rule that the Simple Past Tense indicates definite meaning: this is the construction with *always* illustrated by *I always said he would end up in jail*; *Timothy*

always was a man of peace. It is simply a colloquial variant of the Present Perfect with ‘state verbs’, and can always be replaced by the equivalent Present Perfect form. There are equivalent question and negative forms with *never* and *ever*”. The construction does not seem to be colloquial in the eighteenth century but a widely used one (based on the frequency in the researched periods¹¹). It rather seems to survive as a colloquial variant until PDE despite the quantitative indication that the present perfect gains more ground in these constructions during the nineteenth century.

It needs, however, to be added that the constructions with *never*, *ever* and *always* that occur in the *Proceedings* with the past simple are of three kinds: one that semantically indicates a definite past of the preterite; another one that corresponds to the description as defined by Leech above; and, finally, a less frequent one which could be semantically categorized as the pluperfect. The context of the three categories is felt semantically to be the present perfect that is instead expressed by the form of the past simple.

Many examples of the idiomatic use contain the temporal adverb *before*, e.g. example 1, and are an important part of the witnesses’ utterances. Some speakers use *never* with both tenses, e.g. example 6 in which the speaker continues using the present perfect with *never* after a preceding phrase with this tense, though he starts with the preterite. The construction is not limited to state verbs only, as Leech suggests, although they are the most frequent ones (e.g. *know*, *see*, *hear*), but is often found with action verbs such as *drink*, *walk*, *go*, *strike*, *slaughter*, etc.

B. Always

1. MR thomison I **heave been** at Londin and **heas brogt** eaney lytell thing that I had ther in order to setell in * dr Scotland wher I am loved and known I **heave lost** my all with peepoll runing a way in my det but not with standing of all that as I allwais promised to doo you juistis I doo beyond pouer I **heave ordered** you ten pounds woorth of nerey pritey goods to be delivered to you by woon mr cheambers and upon your full discarg to me he shall de liver you the goods Scotland in Six months after deat this is the full of what I own you for you know your a Count is not Just and by your recat I can prone the Seam but how ever be that as it will I

¹¹ This is also supported by my micro-study of Keats’s letters. Zuzana Irwin, “The Use of the Present Perfect in the Private Letters of John Keats” (unpublished paper).

am not eabell to do mor then I + ckean and belue me if I had not a mercy great
 uellow for you I wood not heave given my self this trubell so if you pleas to acept
 of this you may, and if not, you me let aloo I wish euerey body wood pay me as
 weel I should not heave such loses as I heave this is all from Sr your most hombell
 Sernen

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 04 November 2013), December 1732, trial of Alexander Chalmers (t17321206-28).**

The first example shows some similarity with the previous category. There is a present perfect time frame, which is expressed by two present perfect constructions, and in between these two constructions there is a preterite construction preceded by the adverb *always*. That is the present perfect, formally expressed by the preterite due to the above-mentioned colloquialism/idiomatic use.

2. General Wills. Mr. Fuller is my first Major; and ever since I **have had** the Regiment he always appear'd a good-natur'd Man, and **has often beg'd** off Men from Punishment. I never knew him guilty of an ill-natur'd Action in my Life; on the contrary, I **have pardon'd** Men at his Request. I don't remember that I had ever any Man complain'd of him, but once, and that was about five Years ago. A Man complain'd he **had struck** him with his Cane, and upon my speaking to Mr. Fuller about it, he told me he never more would carry a Cane, or ever strike any of them again.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 20 October 2013), September 1737, trial of Francis Fuller (t17370907-39).**

The second example illustrates that the colloquialism of the preterite with *always* is so strong that it can be introduced in the present perfect context 'ever since I have had the Regiment' and can coordinate with a fully expressed present perfect 'and has often beg'd off'. Typically, adverbs *ever*, *never* and *always* with the preterite accumulate in the vicinity of each other and in the present perfect environment, as is also demonstrated by example 4.

3. Cross-examined by. MR. DICKI Q. I suppose you cannot state that parcels never go out of your place without the printed labels? A. I could not say that—I **have been** in the establishment only three years—I am told the prisoner **has been** there nearly four years—I always knew him as a respectable man.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 06 February 2014), October 1861, trial of ALFRED SIMPSON (37) (t18611021-847).

4. MR. COOPER. Q. Is that common to fat beasts as well as lean? A. Yes, it is—I **have known** the prisoner all my life—I never heard anything against him—he was always an honest, hard-working man, and respected by everybody about there.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 06 February 2014), April 1861, trial of THOMAS SPENCER (38) (t18610408-352).

Since the constructions with *never*, *always* and *ever* form the majority of *Present Perfect*, formally expressed by *Past Simple*, each adverb has its own category. Unlike the constructions with *never* and *ever*, the construction with *always* is found with both tenses more often, particularly in the nineteenth century. It seems to be true that the construction appears mainly with state verbs as in PDE. State verbs repeat throughout the corpus, the most frequent ones being the following: *have*, *appear*, *know*, *believe* and *behave*. Interestingly enough, the construction with *always* + *preterite* mainly appears in the speeches of defendants' witnesses.

C. Ever

1. Prisoner. I went to see a Gentlewoman of my Acquaintance, who gave me the Head to dispose off for her. I knew of no Body so proper to apply to on that Occasion as Mrs. Laserre my Mantua-maker, and I told her who I had it from. Fitz-Williams **has known** me these five Years.

Fitz-Williams. Yes, I **have** so, and I can't say that I ever knew any harm of her before.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 29 October 2013), May 1732, trial of Mary Bradley, alias Brudenell Elizabeth Holms, alias Pratt (t17320525-4).

The speaker starts his narrative in the preterite and then he introduces the fact connected to the present by the present perfect. The other speaker stays in the present perfect zone until he uses the adverb *ever* which is followed by *before*. It would almost seem that he expresses the fact that he did not know any harm of the person until she was accused and that now he knows of it. This interpretation is misleading and other examples show that it is not correct

since it is the present perfect formally expressed by the preterite in a colloquial phrase that combines *ever* + *know* + *before*.

2. Q. Have you ever seen the prisoner before? - A. No.

Q. Have you ever had any doubt that it was the prisoner that was present at the time of the sale of the mare? - A. Yes; he was present at the time the mare was sold.

Q. Were you ever uncertain about it? - A. No.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 January 2014), January 1797, trial of JOHN NOTLEY (t17970111-22).**

Occasionally, the present perfect is used together with the preterite. The example above demonstrates that two questions are asked using the perfective + *ever* and the third question is asked in the preterite. The variation happens in the same temporal context as the two previous questions and is used by the same speaker. This example suggests that the nuances that the two tenses express in PDE were marginal in LModE and that many speakers did not distinguish the temporal domains of the two tenses.

3. Mrs. Jodrell. I was at a Labour, where a Gentlewoman came 2 or 3 Months before her Time, and the Child is alive now, and a Man grown; it was her first Child; and this is the only Instance I ever saw. I have been mistaken six Weeks in my own Reckoning my self.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 October 2013), April 1737, trial of Mary Wilson (t17370420-18).**

4. Q. Had you any knowledge of Mr. Beck before? - A. I do not know that I ever saw him in my life; it is very probable that I have, but I do not undertake to say that.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 29 January 2014), September 1799, trial of JEREMIAH BECK (t17990911-18).**

5. Cross-examined by MR. MARRIOTT. Q. Did he not say, that if he had hurt you, you were the first man he had ever hurt? A. No; his words were, you are the first man I ever did hurt—I assisted in taking Samuel to the station—I was not assisted there.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 18 February 2014), August 1864, trial of ALFRED BOWMAN (30) SAMUEL BOWMAN (25) THOMAS DRAGE (22) (t18640815-758).**

The last three examples show the level of variation within the constructions with *ever*. A midwife in example 3 uses the present simple followed by the preterite and then continues using the perfective. This example represents the majority of the category. Example 4 shows how the variation can be inconspicuously expressed in one speaker who uses only the auxiliary *have* to repeat what he said in the previous clause in which he used the preterite. There can be a discussion about example 5: the construction has the form of the preterite, the adverbial phrase *in my life* implicates the context of the present perfect, and the emphatic *did* stresses the uniqueness of the action. Similar cases are abundant in the corpus.

The last of the triad with adverbs is probably the least frequent of them. The blurred line between the tenses in this construction leads to an ambiguity of the context – strengthened by a sudden change from the present perfect to the past simple only because of *ever*. The idiomatic character is less varied than in the previous two categories since many cases found in *the Proceedings* use the verbs *see*, *know*, *be* or other state verbs.

5.2.2 Preterite, Formally Expressed by Present Perfect

D. Two Speakers

1. Mary Elizabeth Holms . As I was sitting at the Rose and Crown Door in the Market, I saw the Prisoner hassle up to the Prosecutor and pick her Pocket, so I goes to the Prosecutor, and old Gentlewoman, says I, what Money have ye got? Why, 17 s. and 6 d. says she; but when she felt in her Pocket she found it was empty, and with that I goes up to the Prisoner (for I kept her in my Eye all the while) you bold Bitch, says I (for I did call her Bitch, my Lord, that's true) you have pick'd this good Woman's Pocket; I pick'd her Pocket ye Bitch , says she again, if ye speak such another Word, I'll make an Example of ye, and presently she took up the Prosecutor's Apron, and was going to put the Money into her Pocket again; but I would not let her, so I catch'd hold of her Hand, and took the Money out of it, there were 4 half Crowns, and the rest were Shillings and Six pences, which in all, made just 17s. the old Woman said, there should be 6 d. more, but whether or no that drop'd in the Struggle, or what became of it I can't tell.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 29 October 2013), February 1732, trial of Ann Thompson (t17320223-1).**

In example 1, a witness giving evidence portrays the scene of crime reproducing the direct speech of the situation. She distinguishes two speakers by a different use of tenses: the present perfect is used for her sentence while she imitates the reply of the defendant using the preterite.

2. Counsel. **Have you never declared** that the Prosecutrix attempted to hire you to rap, as they term it?

Leaf. I don't know that ever I did.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 16 October 2013), February 1737, trial of Robert Holland (t17370216-58).**

The second example demonstrates two people each using a different tense for expressing the same thing. They also use different adverbs – *never* does not inhibit the use of the present perfect of the first speaker, while the *ever* of the second speaker does.¹² The instance above proves that educated people do not necessarily contaminate the speech of less educated and uneducated speakers.

3. Q. Did you ever see him and his first wife together? - Not his first wife, I **have not seen** her; I was present at the second marriage, on the 2d of June, he was married to Mary Lavender, it was at Aldersgate church, she was a single woman, the woman that is in court.

Q. How came you to be there? - I was an acquaintance of Mary Lavender's, that is all.

Q. **Have you seen** the husband at any time besides the day of marriage? - Yes.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 04 December 2013), February 1794, trial of JOHN EVANS (t17940219-9).**

4. Q. Where did he live then? - A. In Crown-court, Wapping.

Q. So that during all the time you **have known** him he **has lived** in and about Wapping? - A. He did.

¹² It is ambiguous whether the perfective occurs more often in questions, particularly those asked by the counsel, i.e. someone educated who should be aware of the formal nature of trials. Since every trial is structurally composed of questions and answers, some questions asked in the present perfect context tend to be elliptical, i.e. they miss the auxiliary. When analysing the *Proceedings*, these type of questions were sometimes difficult to tell apart from the questions with the preterite.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 25 January 2014), February 1799, trial of MICHAEL DUFFEY (t17990220-26).**

5. MR. DICKIE. Q. Did you know them both before? A. Yes; they hare been neighbours of mine while I have been living in such a place; I do not like it, but I have been obliged to come to it—I did not interfere—I had nothing to lose, but I did not want to be kicked.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 14 February 2014), June 1863, trial of JOHN HURLEY (27) ELIZABETH BROWN (20) (t18630608-804).**

Often, a question is asked in one tense and the answer is given in the other tense, e.g. examples 3, 4 and 5. Further, after a Question + Answer sequence that uses different tenses, a subsequent question that repeats the content of the original question or asks something similar often has a different tense, as demonstrated by example 3. The variation between speakers is sometimes influenced by the adverbs *ever*, *never* or *always*. Even if both speakers use one of the adverbs, each of them can choose a different tense, e.g. examples 2 and 3. There can be overlaps between this category and the categories E (‘Stressing Repeated Action/Event’) and G (‘Tense of Memory’).

This category is called ‘Two speakers’ because each speaker uses a different tense for expressing the same or similar idea or fact. These are commonly found in all the decades. Usually, two different speakers are involved in a conversation but due to different perspectives or for other reasons, they use a different tense. In the appendix, there are cases where one person can ‘contaminate’ the tense sequence of the other person.

E. Stressing Repeated Action/Event

1. She trusted the Keys and Goods too, to my Care, for she and I were very familiar, I have lain with her many a Time.

F. Upon my Oath he never did, why, does your Loardship think I was lye with such a Jackanapes as he is? The Goods I trusted him to give to Mr. Hayward and the Brewer, was before I went out of Town.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 04 November 2013), December 1732, trial of Alexander Chalmers (t17321206-28).**

In this example, the first speaker uses the present perfect for a situation that has been happening and that according to the other speaker did not happen at all. While the first speaker's statement suggests that the situation continues up until the time he gives evidence, the second person stresses the preterite construction with *never*. But since it can express the present perfect as well, she continues and uses the construction of *was* + *lye* to further shift the accusation to the definite past.

2. Finch. But I met the Prisoner himself not long after, and he said, What Cheer Finch? Pretty Cheer indeed, says I, you have made a fine piece of Work of it! your Boy is dead it seems, but it's what I expected. Why, says he, I own I have beat the Boy, but that was not the Cause of his Death.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 24 October 2013), January 1733, trial of John Bennet (t17330112-3).**

This example represents the category better than the first example. One witness reproduces a conversation between him and a defendant. Both reproduced speakers refer to the death of a boy by the present perfect. The first speaker comments on the situation leading to the point of them speaking at that time, while the other one uses the same tense for something that happened repeatedly in the past. In the first example, the reader does not know whether the event happened or not. Here, the imitated speaker admits beating the boy and that the boy had died.

3. Prisoner's defence. My Lords, and Gentlemen of the Jury. May you live for ever, and may it please you that I may find grace in your fight. I am happy that I have to make a defence before your Graces, because ye have wisdom to discern between wickedness and simplicity. (...)When I came there, the Lord was pleased to open a door in his providence for me, and I got work, and between us both we could get a tolerable good living for poor people, our income was about a guinea a week between us both, but I was dreadfully persecuted by her, many times have I been in danger of my life, she has gone to bed with a knife by her side to kill me.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 January 2014), September 1798, trial of THOMAS CURTIS (t17980912-58).**

4. PHILIP PECKHAM sworn. - Examined by Mr. Knapp. I am a carpenter and builder, in Jermyn-street, St. James's; I **have known** the prisoner many years; in the year 1792 and 1793, he was in the habit of working for me the greatest part of the time.

Q. During that time, was there any thing led you to take notice of the state of his mind? - A. At different periods he would be away from his work, and walk about the streets like a man deranged in his senses, without any known cause; I **have set** him to work in a morning, and he **has left** it before night without any known cause.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 January 2014), October 1798, trial of JOHN BOND (t17981024-7).**

5. I did not know when I **had called** over all, that there were any left—West assists Walklin to pack up the parcels; they are made up openly in the warehouse—I **have sometimes checked** them with West when Walklin was not there at all, and I believe the boy West sometimes packed up parcels when Walklin was not there

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), January 1861, trial of DANIEL DANIELS (45) THOMAS WALKLIN (24) WILLIAM GILES BOLLEN (32) (t18610107-126).**

6. HENRY CLARK. I live in David-street, Marylebone—the prisoner is my sister—I **have noticed** since she **has been married** that she **has been** at particular times in a very low, depressed state—I **have noticed** her crying at times, and being very low in spirits—there were no domestic annoyances to account for that—often when I **have been shaving** of an evening, she **has seen** me with a razor in my hand, and **has said**, "Oh, brother!" and **rushed** out of the room, and she **has come** into our room, and **asked** us to let her remain while her husband was shaving.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 February 2014), July 1863, trial of MARY ANN PAYNE (21) (t18630713-890).**

Although the action/event is fully in the past, is unlikely to repeat any time in the future and is disconnected enough from the present to have any effect on it (there is a lapse between the event and the time the people involved appear before the court), speakers feel that they need to stress the link between the event/action and the present. One explanation of their doing so is probably because it happened repeatedly and because of that they might view it as

a recent action/event or as evidence relevant to the present. Some linguists call it the ‘perfect of experience’ and regard it only as a ‘stylistic peculiarity’ (see p. 22).

To distinguish this use further from one type of PDE present perfect, there is always an obstacle in the context that does not allow classifying the construction as the present perfect which describes a repeated action/event leading up to the present. One of the obstacles can be that the person being talked about has been dead for some time, for instance in example 2 (found also in category G: ‘Tense of Memory’). The repeated nature of actions is the sole reason for which the cases above are grouped together. Often, the constructions are accompanied by adverbials such as *often*, *many times* and *sometimes*.

F. Experience General vs. Particular

1. And therefore, pray, my Lord, stand by the Watch whatever you do, or else my People will be undone; they will be robbed, and have their Throats cut, and their Houses burnt about their Ears. The Prisoner **has threatened** to be even with the Watch, but he did not say which of them; therefore, I hope, the Watch will be protected. When I knocked the Prisoner down, he reeled six Yards before he fell, and then he said I had killed him.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 25 October 2013), April 1733, trial of William Raven (t17330404-13).

In this example, the speaker witnessed that the prisoner threatened to get even with the watch. He witnessed something that happened in the past but because it is such an important fact, he uses the present perfect to leave the tense frame open. By doing this, he either stresses the act of witnessing the threats or the fact that the prisoner might still threaten the watch. The present perfect is in stark contrast with the preterite that gives more detail of the past event.

2. Q. Do you know Gowlett? - A. Yes; I **have known** him about a twelvemonth: On the 12th of February, I was going from Uxbridge towards Iver; I met him at the distance of forty or fifty yards from me, with a sheep, with a small cord tied round the horns, driving and dragging it along; the sheep had a very fine turned horn, with an old riddle mark across the shoulder; I helped to shear Weatherby's sheep, and I believe I **have helped** to mark them; I **have been** at the marking however.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), April 1796, trial of ISAAC GOWLETT WILLIAM READ (t17960406-34).**

The second example shows the speech of a speaker who skips between the preterite and the present perfect during the narrative and mixes up both tenses. The switches occur between narrating the events related to the crime and giving statements that demonstrate his personal connection to the defendant and his presence at certain events: ‘I believe I have helped to mark them’ and ‘I have been at the marking however’.

3. Prisoner. I was in that man's shop before, I have bought stockings and things these five years of him; stockings, handkerchiefs, and ribbons of one thing and another; I have served him with fish.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 December 2013), December 1794, trial of ELIZABETH COX (t17941208-27).**

4. GEORGE SEARLE sworn. - Examined by Mr. Knapp. I am a smith, at Battle-bridge: I have known the prisoner at the bar all my life.
Q. Did you know him intimately? - A. Yes.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 January 2014), October 1798, trial of JOHN BOND (t17981024-7).**

In several cases, speakers start to describe something in a general way, using the present perfect and then they switch to the past simple only because they want to pinpoint a certain situation anchored in the past. Often there is no apparent reason for such a switch, at least not such as would be visible in the context, e.g. example 1. They can also start with the past simple and then switch to the present perfect, e.g. example 2, or they can return to the tense they started with, e.g. example 3. The last example shows two speakers who each use a different tense: although the first speaker frames the context of the conversation as the present perfect tense, the other speaker disregards it (see here an overlap with the category D: ‘Two Speakers’) and asks for a detail in the preterite.

G. Tense of Memory

1. Hannah Bowen The Prisoner was my Servant 7 Years and a half I kept a Sutling. and Lodging-house at White-hall 3 Years ago, and I trusted him to take all my

Money when I lay in - He has brought me 14 l. on a Night, and I never knew that he wrong'd me of a Farthing.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 02 October 2013), December 1734, trial of Samuel Luelling (t17341204-8).**

The present perfect in the example above combines ‘has brought’ with ‘on a Night’, i.e. with an adverbial that is admissible only for the preterite. The unusual use of the present perfect with an event that happened three years before the trial is justified only by the concept of the ‘tense of memory’.

2. Bloomsbury. I have been to Brumpton, where he has got an Estate, and coming home I pick'd up a Girl at Hide Park Corner, and have been with her ever since.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 07 October 2013), December 1735, trial of Charles Horn (t17351210-75).**

The ‘tense of memory’ is not always accompanied by adverbials that put the context in a definite past. This happens when witnesses, as the speaker Bloomsbury above, place the present simple next to the present perfect although talking about a definite past. It is obvious that he went to Brumpton and when he was coming home, he picked up a girl. Although the other details are just explanatory and do not belong to the short narrative, they influence the choice of the tense which opens the speech. Thus the impression the hearer gets is that the episode has just happened and the memory of that is very fresh.

3. Gowlett's defence. Here is a man here that saw me buy the sheep; I have had it nine or ten weeks, I turned it upon the Moor.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), April 1796, trial of ISAAC GOWLETT WILLIAM READ (t17960406-34).**

4. the money was in this bag (The one found on Giss)—I have not the slightest doubt of it—I have had it under my eye every day for three months—next morning I found my desk broken open, and the money gone—there were a number of 3d. or 4d. pieces; one 4d. piece had a hole in it similar to this, it attracted my attention when taken.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 12 February 2014), May 1862, trial of EDWARD GISS (17) HENRY JOHNSON (18) (t18620512-522).**

5. Cross-examined by MR. E. T. SMITH. Q. How long had you known the deceased?
A. About eighteen months—I saw him every day—he drank a great deal of beer—I never saw him "incapable"—I have seen him what you might term "boosey"—he was rather irritable, yet a good temper—I have known the prisoner two or three years—I should say he was a peaceable man.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 February 2014), October 1863, trial of WILLIAM PEKKINS (23) (t18631026-1220).**

The ‘tense of memory’ is a term for a specific character of the present perfect. As was mentioned earlier, it is a term coined by Adamson (in Romaine 1998: 667) to describe a use of the perfect by writers during the nineteenth century. Such an approach to the present perfect conveys to the audience the affective presence of past experience. The definition resembles PDE definitions of resultative use of the present perfect. In the case of the ‘tense of memory’, however, the context is in the past simple and the only connection with the present moment is the speaker’s memory.

This use of the present perfect occurs in the context of the preterite. Moreover, it is often stressed by adverbials which are, under normal circumstances and from the PDE point of view, associated with the preterite. A possible explanation for this use lies in its subjectivity: the speaker feels the action/event somehow connected to the present and fresh. Therefore, the speaker disregards all the indicators of the past simple in the context he/she creates. This use is found in the written language as well, as exemplified in my micro-study of the present perfect in Keats’ letters.¹³

H. Senses

1. J. Wigly. He cut Callico-prints, and made Buckles - I have often heard him pound. pound, pound-something or other; and Bridoak often went backwards and forwards to him with something in a Flag Basket.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 March 2014), July 1735, trial of Joshua Dean (t17350702-28).**

The introductory example is all in the preterite except for ‘I have often heard him pound’, which is a present perfect construction expressing the preterite. One of the explanations is that

¹³ Zuzana Irwin, “The Use of the Present Perfect in the Private Letters of John Keats” (unpublished paper).

the connection between ‘hear’ + ‘often’ was so strong that it was used regardless of the tense of the context. The other explanation is that it was a repeated action in the past, emphasised by the following ‘pound, pound’.

2. Coombes. I have seen her beat him several times with the Poker, and have heard him cry out Murder! She came to Mrs. Birch, about a Month before this Fact was committed, in a desperate Passion and said, This Man won't pay my Rent, - I shall be murdered for him. I have seen her go down the Street with him, and as she has gone along with him, she has beat his Head against a Sash-Window, and broke it. Prisoner. Fye upon you! He went to get a Stick to beat me with; - did he not?

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 23 October 2013), December 1739, trial of Susannah Broom (t17391205-2).**

The second example is in contrast to the above explanation of a repeated action in the past. The witness uses verbs *see* and *hear* in the present perfect for events fully in the past and even continues to use the tense for action verbs *go* and *beat*. The prisoner’s use of the preterite clearly shows that it was an episode that could be narrated in the preterite. Nevertheless, the witness adds to the importance of her seeing the episode by employing the present perfect. The concept of ‘tense of memory’ could be also used to explain why she persists in using the present perfect with action verbs.

3. Did you know the prisoner before? - A. Yes, very well by sight, I have often seen him, but I do not know where he lived, I know them all by sight, the other two looked like weavers.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 23 January 2014), December 1798, trial of JOHN COLLEY (t17981205-22).**

4. MARY ANN COLLINS. I live nearly opposite, at no. 9, in the albert-road—that is one door nearer to the butt than no.—I have heard the firing in these grounds many times; repeatedly: on 3d December, and before that, up to as early as July—I have heard bullets several times, but have never seen them—I have been at my door when I have heard them—they appeared to go into the ground in the albert-road—I have heard that on many occasions.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), May 1861, trial of JAMES BEASLEY (43) (t18610505-414).**

5. RICHARD LOTHIA . (re-examined.) I have frequently seen the prisoner write in the office in the course of the three years he was there.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 February 2014), October 1861, trial of ALFRED SIMPSON (37) (t18611021-847).**

‘Senses’ is a special category that could be, for several reasons, classified as a sub-category of the category E (‘Stressing Repeated Action/Event’) since the repeated character is stressed by words such as *often* or *frequently*. However, a separate category has been created because the present perfect that semantically expresses the preterite occurs in the past simple context that employs the verbs of senses, e.g. *hear*, *see*, and the present perfect is usually limited only to these verbs.

I. Coordination

1. Mary Stallwood. I know the Prisoner, he has been very often at my House, and owned Sarah Hussey for his Wife: I have been at her Lyings to, she appeared publicly as his Wife, and he owned her as such. I am Sarah Hussey's Aunt, and an honest Girl she is. They have lived three Years together: he is a Frame-Guilder , and has been at my House many and many a Time, and supped there, and always owned her for his Wife.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 15 October 2013), July 1736, trial of Robert Hussey (t17360721-36).**

In this example, the preterite and the present perfect combine in coordinated clauses. It is not clear whether the speaker is being elliptical and leaves out the auxiliary of the present perfect or uses the preterite as she repeats the same fact over and over: ‘he has been...and owned’, ‘I have been at...she appeared...and he owned her’ and ‘They have lived...and has been...and supped there...and always owned her’. The ambiguity is strengthened by leaving out the pronouns and by the use of adverbs, such as *always* in this example.

2. SOLOMON SHREAVES sworn. I live at Bow, in the parish of Edmonton; I have known Porter from a child; he has been employed by me, and he behaved himself very consistent.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 December 2013), November 1794, trial of CHARLES PORTER GEORGE GROVER (t17941111-19).**

Even though this speaker does not leave out a pronoun, ‘he has been employed by me, and he behaved himself’, he still coordinates the two tenses in the present perfect context.

3. JOHN HEATH sworn. I live in Milk-street, Cheapside; I have known Mr. Bonus between 10 and 12 years, during which time he has always sustained a character unimpeached; I have been connected with him in the course of business, and always found him honest

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 03 December 2013), October 1792, trial of JOHN BONUS (t17921031-56).**

4. THOMAS TURNER sworn. I live at Edmonton; I have known Grover ever since he was a boy, and never heard any thing against him in my life.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 December 2013), November 1794, trial of CHARLES PORTER GEORGE GROVER (t17941111-19).**

5. NEWMAN SHERER . I am a glass dealer, of 18, Finch-street, Whitechapel—I have been a customer of Mr. Waddell's many times—I have purchased goods of him almost every week, from him personally—sometimes when I have paid him he has put the money into his pocket; he made no entry while I remained—I have been there sometimes twice a day to buy goods, and always paid him; he always put the money into his pocket, and never gave me an invoice—he said, "Mr. Sherer does not want an invoice for his goods"—I have seen the prisoner there; I heard the prosecutor say to him, "Never mind about booking Mr. Sherer's invoices, he does not want any invoice for these goods"

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 February 2014), February 1864, trial of WALTER CRANBROOK WOOD (28) (t18640201-217).**

Admittedly, this category is a particular case of variation that is found in clauses coordinated by *and*. Some cases show that this type of coordination can connect both tenses, but the tense used before the coordinator is not used further, even though the tense of the context remains the same. It is sometimes unclear whether the auxiliary verb of the present

perfect is ellipted or whether there is the past simple because of, for example, constructions with *never* and *always*, or for other reasons.

J. Unclassified

1. Susan Spolston . I may say I **have known** him before he was born, for I knew his Mother before he was born, and know nothing of him but that the Boy's a little short witted.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 09 October 2013), May 1736, trial of Richard Nixon William Dobson (t17360505-32).**

In this example, the use of the present perfect appears to be a mistake and the pluperfect would be a more suitable tense in its place.

2. William Watts . I have nothing to say in Behalf of this Indictment, the Prisoner is my Tenant, and he lives in a Publick House belonging to me. I **have known** him 2 Years, and he bore the Character of an honest, harmless Fellow: he paid me 7 l. 10 s. a Year and several Times **has paid** me Money and took no Receipts.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 October 2013), July 1737, trial of John Bullock (t17370706-4).**

In this case, Watts starts with the present simple, then combines the present perfect and the preterite in a coordinated sentence and finally uses the present simple for an act that he previously stated in the preterite. The reason why he uses the present perfect in the last sentence is not clear: he might have been led to it by the adverbial 'several times'. Or, he just did not distinguish between the tenses and used them interchangeably.

3. Mr. Gabriel Leaver. I **have done** Business for Mr. Tho. Hill, while the Prisoner was my Clerk; I am well acquainted with his Hand, and do not believe this to be his Writing. I take the whole Body of the Note to be the Prisoner's own Writing. The Words (Tho. Hill) and the Body of the Note, I take them to be all wrote by the same Hand; and likewise the Endorsement on the Back. I believe them to be the Prisoner's. I **have compar'd** the Note with some Writing of his which I have at Home.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 21 October 2013), June 1738, trial of William Newington (t17380628-26).**

4. Q. Have you not asked Norman, before he went to the Grand Jury, what he said before the Magistrate? - A. I cannot say.
- Q. Upon your oath. did not you ask Norman some questions, as to the manner in which he swore to this sheep? - A. I don't think I did.
- Q. Upon your oath, do you believe you did not? - A. I cannot tell that I have had any conversation in that respect.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), April 1796, trial of ISAAC GOWLETT WILLIAM READ (t17960406-34).**

5. I have never sent him down to vessels that have arrived with cargoes of fruit from abroad—that was not his employment at all—we have different men for different purposes—he was confined to the warehouse—I dare say he has swept up the warehouse—he removed goods sometimes from one part of the warehouse to the other—he came there at about 10, or half-past 10, and left about 4

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 February 2014), February 1863, trial of JOHN STRINGER (28) (t18630202-300).**

Many cases in this category have no obvious reason for the variation and might thus seem to be mistakes that happened during the transcription process. However, most speakers seem confident in using both tenses, ignoring the character of the context. Since there are many cases showing that speakers did not know how to use the perfect and pluperfect correctly, it is doubtful whether they should be regarded as mistakes. Whether they were indicators of hesitation or mixing up of characteristics of both tenses is not clear from the transcriptions. Probably the most plausible explanation takes into account the thin line between the tenses for expressing the past. Due to a temporal perception in LModE, speakers did not see the division between the tenses because it was often not easily recognisable and therefore not rigidly followed.

5.3 Summary of the Analysis

The findings of the quantitative part complement the qualitative analysis. The quantitative part shows that despite the large size of the corpus, the number of present perfect constructions expressing the preterite and vice versa is low. Further, in the qualitative part,

these cases are divided into several categories that try to explain different reasons for the variation.

The number of the cases where the present perfect is formally expressed by the preterite is higher, 417 in total. Most cases contain the adverbials *never*, *always* and *ever*, which occur in constructions that are colloquially used in PDE. This variation is predictable though it is often complex due to the preterite expressing two other tenses. The only change that could be statistically significant is an indication that the number of these constructions gradually decreases from the middle of the eighteenth century to the middle of the nineteenth century. One of the explanations behind this change might be the increased use of the present perfect in general in the nineteenth century.

The major part of the qualitative analysis observes some tendencies in the atypical (i.e. atypical from the PDE point of view) use of the preterite which is formally expressed by the present perfect. There have been 133 cases of them found in the corpus. The present analysis is an attempt to establish a certain system based on the usage. The categorisation of the cases aimed at creating linguistically homogenous groups. Nonetheless, certain overlaps show that the categories not ideal. The most frequent cases of variation occur among two speakers in the question–answer sequence and in so called ‘tense of memory.’

Chapter 6: Conclusions and Suggestions for Further Research

In other words, the link with a definite past that existed in the ME and ModE periods has become further reduced in PDE. (from Olga Fisher and Wim van der Wurff in Hogg and Denison 2008: 141)

The research was intended as a probe into the development of tenses that express the past in the *Proceedings* of the eighteenth and the nineteenth centuries. The original intention was to show how the speakers employed the preterite, the present perfect and the pluperfect in spoken communication. The process of selecting data focused on capturing spontaneous speech, but the spontaneity was, of course, influenced by the particular environment of the court. The selected trials contain speeches of individuals who were given enough space to talk in a natural way. The modification of these speeches by transcribing and printing processes was thought to be minimal.

Although the original idea was to show the complexity of the tense system, the research had to be limited to the variation between the present perfect and the preterite due to the scope possible in a diploma thesis. The variation of both tenses is demonstrated by numbers and categories. The numbers represent how many cases of the preterite and the present perfect have been found in the corpus and how frequent these constructions are. The categories in the qualitative part try to systemize findings of a varied group of cases. The categories are at the same time an attempt at giving possible reasons for the use of the variation.

In order to be able to analyse the variation, the characterisation of the preterite and the present perfect had to be simplified. For that purpose, prototypical tenses with PDE characteristics were established. In that way, the temporal space of each tense has been shrunk. As a result, the past simple represents a definite past, while the present perfect expresses the past which has a connection to the present. This division between the tenses was meant to be methodological and clear-cut. Despite the effort for a distinct division, many constructions found in the corpus lack context indicators and are hard to classify on the basis of the prototypical tenses. As a result, semantic classification of some cases is subjective and arguable.

The prototypical division of the variation describes two specific categories: 1) *Present Perfect, formally expressed by Past Simple* and 2) *Past Simple, formally expressed by Present Perfect*. The two categories reflect the variation in which the form of one tense occurs in the semantic field of the other tense. The cases of the first category are mainly constructions with *always*, *never* and *ever*. There are 417 of them found in the corpus. The variation with these adverbs is predictable and it seems that it has decreased by the middle of the nineteenth century (see tables 3 and 4, p. 44). They could be seen as remnants of an earlier idiomatic use which was widespread and almost formulaic. In PDE such constructions are labelled as colloquial.

On the other hand, the second category of *Preterite, formally expressed by the Present Perfect* is less homogenous and smaller, consisting of 133 cases. While the first category forms three distinct groups that are based on adverbials, the second one is split into seven groups (see the qualitative part of the analysis) that provide plausible explanations for the different uses of the variation found in the *Proceedings*. The tendencies in the use of these constructions differ only slightly among the decades. Whether it is because of the low number of the collected cases, the uneasiness of the semantic classification or because the variation is stable in the researched periods remains to be explored. Notwithstanding the low number of collected cases, a tentative reason for a slightly elevated use of these constructions in the middle of the nineteenth century seems visible. The shift might be connected to the use of the present perfect in general. The numbers in table 2 (p. 43) indicate that there was a general increased employment of the present perfect in the last researched decade. This is best observed in the constructions with *never*, *always* and *ever* in which the past simple loses ground to the present perfect (see tables 3 and 4, p. 44).

At the beginning of the research, it was expected that the changes would be subtle and the variation hard to describe. That has proven to be a correct prediction. The expectation that there would be a decrease in the use of *Preterite, formally expressed by Present Perfect* throughout the centuries as the tense system was stabilising has turned out to be erroneous. As was mentioned in the preceding paragraph, the position of the present perfect was stronger in the middle of the nineteenth century than it was in the eighteenth century. This is demonstrated by the general increase in the use of the present perfect in the last decade. It can be speculated that this general increase prevented a decrease in the use of *Preterite, formally expressed by Present Perfect*, especially in contexts in which the connection with the past was loose.

Taking into account the outcomes of the research, several suggestions for further study become apparent. If a larger corpus was created, the change might be more noticeable and could be expressed statistically. Further research could also take into account the role of the pluperfect. Like the present perfect, the pluperfect is expressed by the preterite or can express the preterite. A certain degree of confusion about how to use the pluperfect was also observed during the collection of cases. A presentation of the relationship among the three tenses could provide a more complete picture of the LModE tense system. For a more precise analysis of the variation, it is necessary to consider the role of sentence types together with a detailed description of the syntactical specifics of the *Proceedings* in each period (e.g. how much direct and reported speech is used in each decade, what the structure of questions is, etc.). Lastly, it is worth investigating whether choosing different periods and more than three would give better statistical results.

On the whole, the findings of the study bring to light the complex variation of tenses in spoken Modern English. It proved wrong to expect that grammatical rules were broken by lower class speakers only. On the contrary, speakers of all classes, regardless of education, used the preterite and the present perfect interchangeably. First, this shows that the authority of grammar books was not as strong as some linguists assume it to be, at least in the tense system. Second, such varied use indicates a blurred line between the tenses: the overlapping character of the present perfect and the preterite of the researched centuries is an indicator of an as yet incompletely established tense system. The growing stabilisation of the respective roles and positions of both tenses is nevertheless supported by an increased spread of the present perfect into contexts where PDE grammars disapprove of the use of the preterite.

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Czech Summary / České shrnutí

1. Úvod

Diplomová práce se zabývá moderní angličtinou a snaží se objasnit historické důvody variace ve vyjadřování minulosti. Variace se zde týká času minulého (v prosté a průběhové formě) a času předpřítomného (v prosté a předpřítomné formě). Zkoumají se případy, kdy je čas minulý použit v kontextu času předpřítomného a kdy je naopak čas předpřítomný použit v kontextu času minulého. Ačkoliv předminulý čas je také součástí variace, není v práci zahrnut, aby nedošlo k překročení předepsaného rozsahu práce. Zmínky o plusquamperfektu se objevují pouze v kvantitativní části analýzy a v závěru práce.

Materiál pochází ze soudních záznamů z Old Bailey, které existují přepsané v elektronické podobě jako *The Proceedings of the Old Bailey*. Soudní záznamy byly pořizovány a vydávány v letech 1674–1913. Analyzována jsou tři desetiletí: 1731–1740, 1791–1800 a 1861–1870. Jde o jazyk mluvené rané a pozdní moderní angličtiny. Mluvený projev je do určité míry spontánní, ale samozřejmě se musí brát v úvahu vliv soudního prostředí. Práce vycházela z předpokladu, že variace bude nejlépe pozorovatelná v mluveném jazyce a že sémantické překryvy časů se budou v záznamech pomalu vytrácet, aby mohlo dojít ke stabilizaci časů do podoby systému, který je znám ze současné angličtiny.

2. Teoretická část

Teoretická kapitola předkládá především vývoj času předpřítomného, a ten je porovnáván s vývojem času minulého.

Základy předpřítomného času se dají najít už ve staré angličtině, spolu s ostatními opisnými formami. Je však nesporné, že předpřítomný čas hraje ve vyjadřování minulosti jen okrajovou roli, na rozdíl od *préterita*. Zdá se, že ke konsolidaci perfektního používání pomocného slovesa *have* došlo již ve století osmém a jeho posesivní význam se tehdy začíná vymezovat změněným slovosledem. Perfektní význam byl postupně upevňován používáním *have* v transitivity konstrukcích bez předmětu a nakonec i v intransitivních konstrukcích.

V důsledku upevňování pozice pomocného slovesa *have* se z perfektních konstrukcí vytrácí pomocné sloveso *be*. Sloveso *be*, které se původně používalo v intransitivních konstrukcích, je z nich postupně vytlačováno slovesem *have*. V šestnáctém století již v perfektních konstrukcích převládá pomocné sloveso *have*. Ostrůvky použití slovesa *be* se pojí s tzv. mutativními slovesy, ale k vytěšňování i tohoto použití dochází v první polovině

devatenáctého století. Ve druhé polovině století devatenáctého už variace mezi pomocnými slovesy prakticky neexistuje.

Někteří lingvisté zastávají názor, že se předpřítomný čas nevyvíjel od začátku kontinuálně. Tvrdí, že gramatická složka a složka sémantická se vyvinuly nezávisle na sobě. Poukazují mimo jiné na vývoj předpřítomného času jako vidu. Mnozí z nich upozorňují, že v začlenění perfekta do systému časů hraje roli rozlišení jeho konstrukcí se slovesem *be* od konstrukcí se slovesem *have*. Například David Denison tvrdí, že zatímco došlo ke gramatikalizaci perfekta s pomocným slovesem *have*, prosté perfektum se slovesem *be* gramatikalizováno nebylo. Johan Elsness jde ještě dál a navrhuje, že konstrukce s *be* v podstatě nejsou plně perfektní a chybí jim spojení s minulostí.

Předpřítomný čas, jak ho známe ze současné angličtiny, si hledal své místo v systému časů poměrně dlouhou dobu. Bylo to především kvůli tomu, že předpřítomný a minulý čas se používaly záměnně až do rané moderní angličtiny. Během doby, po kterou se ranou moderní angličtinou mluvilo, se začal předpřítomný čas vymezovat proti času minulému. K tomu bylo zapotřebí od sebe časy sémanticky odlišit. Ke zmíněnému odlišení došlo pravděpodobně někdy koncem sedmnáctého století či počátkem století osmnáctého (i když někteří jazykovědci tvrdí, že k tomu došlo dokonce už ve století čtrnáctém). Rozšířenému použití sémanticky diferencovaných časů napomohl také zvýšený zájem o učebnice gramatiky, které se tiskly ve velkém, zejména na přelomu století osmnáctého a devatenáctého.

Dalo by se říci, že zatímco ve století osmnáctém dochází ke stabilizaci konstrukce předpřítomného času jako takového, ve století devatenáctém dochází k jeho stabilizaci v systému časů. Stabilizací je zde myšleno upevňování charakteru a pozice předpřítomného času, jak je znám v současné britské angličtině. Právě zkoumaná variace ukazuje, jak stabilizace systému vypadala. Použití předpřítomného času v kontextu času minulého a naopak je vnímáno některými lingvisty jako přežitek starých užití. Není zvláštností, že taková užití se nejvíce udržovala v idiomatických spojeních a lexikalizovaných frázích.

Chápání času ve zkoumaných desetiletích je doloženo z tehdejších gramatik. Mezi nejoblíbenější patřily *English Grammar, Adapted to the Different Classes of Learners* („Anglická gramatika, přizpůsobená čtenářům všech tříd“) Lindleyho Murrayho a *A Grammar of the English Language* („Gramatika jazyka anglického“) Williama Cobbetta. Oba přistupují k jazyku preskriptivně – Murray se zaměřuje na časovou dimenzi perfekta a Cobbett na jeho vidový charakter.

Na rozdíl od zmíněných preskriptivních gramatik se gramatiky současné angličtiny snaží být deskriptivní. Quirk et al. (1985) se pokoušejí uchopit předpřítomný čas v jeho vidové podobě, ale připouští, že je třeba jej klasifikovat i jako čas. Jejich charakteristika předpřítomného času je zaměřena na minulost, což je ovlivněno dokonavostí perfekta jako vidu. Huddleston a Pullum (2002) mluví o perfektu jako o času, u kterého je orientace směrem do přítomnosti. Není to však pouze klasifikace předpřítomného času, na které se lingvisté nedokáží shodnout. Ve spisovné psané britské angličtině je sice pozice předpřítomného času ukotvena stanovenými pravidly, ale v mluvené angličtině se podle některých lingvistů chová předpřítomný čas trochu jinak a je vždy doprovázen adverbii.

Závěr kapitoly je věnován debatě o vymezení perfekta jako vidu a času. V souvislosti s tím se poukazuje na to, že zatímco v současné angličtině se u předpřítomného času klade důraz na jeho spojení s přítomností, zdá se, že v devatenáctém století se na něj pohlíželo stále jako na součást systému, který se podílí na vyjadřování minulosti. To by vysvětlovalo, proč se tak dlouho vyskytoval ve variaci s časem minulým a proč se mezi nimi v mnohých kontextech nedělal žádný rozdíl.

3. Záznamy z Old Bailey

Třetí kapitola popisuje vznik a složení soudních záznamů z Old Bailey. Soudní záznamy se začaly vydávat na podzim roku 1678 a sloužily především k pobavení obyvatelů Londýna. Od roku 1712 se začaly objevovat doslovné záznamy ze soudních líčení. Největší popularity jejich vydávání dosáhlo v letech 1729–1778 a ročně se vydávalo až dvanáct záznamů. Poté ale na popularitě u čtenářů začaly ztrácet, protože město se zaměřilo na jejich objektivní stránku a chtělo z nich mít věrohodné záznamy. Jelikož jejich vydávání se postupně prodražovalo a jejich čtenářská obec se smrskla na pouhé zaměstnance soudu, město nakonec jejich vydávání v roce 1913 ukončilo.

Centrální soudní dvůr, jak se nakonec budova Old Bailey přejmenovala, projednával jen nejzávažnější trestné činy, mezi něž patřily například krádeže, zabití a sexuální trestné činy. Obžalovanými byli většinou mladí lidé a mnozí z nich znali soudní praktiky tak dobře, že jich zneužívali. Během osmnáctého století se však společnost změnila a prošla kulturní přeměnou. Dav, který v osmnáctém století ovládal Londýn, se z ulic pomalu vytrácel a transformoval se do industriální společnosti století devatenáctého, ve kterém převažovaly jiné trestné činy než ve století předchozím.

Záznamy z Old Bailey se považují za jeden z nejautentičtějších zdrojů mluveného jazyka zhruba od roku 1720, kdy se začaly zapisovat těsnopisem. Každý ze stenografů měl svůj vlastní systém, ale ukazuje se, že to na jazykovou stránku záznamů mělo malý vliv. Větší vliv měly publikační procesy, které byly jak pod kontrolou nakladatelů, tak i města. Záznamy z Old Bailey v elektronické podobě čítají 120 milionů slov a 197 745 líčení. Nejkratší z nich má osm slov a nejdelší 320 stránek.

4. Metodologie

Korpus za účelem studia variace byl vytvořen ze tří desetiletí. První z nich, 1731–1740, zaručuje, že všechny záznamy jsou v přímé řeči. Druhé desetiletí, 1791–1800, zkoumá konec období, ve kterém by měla být konsolidována forma i sémantické vymezení předpřítomného času. V posledním desetiletí, 1861–1870, by se variace *be* a *have* již neměla téměř vyskytovat a perfektum by mělo vykazovat tendenci se stabilizovat do podoby současné angličtiny. Každé desetiletí je pro výzkumné účely reprezentováno stovkou záznamů. Prozkoumané tři stovky záznamů obsahují dohromady 455 071 slov, tedy jen nepatrný zlomek z celkového množství.

Výběr dat měl za cíl najít záznamy se zastoupením mluvčích ze všech společenských tříd. Dále se bral ohled na délku záznamu: příliš krátké záznamy nedávaly dost prostoru k nepřerušené přímé řeči a naopak příliš dlouhé záznamy zbytečně zvětšovaly objem dat. Do korpusu také nebyly zahrnuty záznamy, které jsou v podstatě jen seznamem otázek a odpovědí. Z takto nasbíraného materiálu byly vybrány konstrukce času minulého a předpřítomného i s jejich průběhovými tvary. Pro selekci případů, kdy se minulý čas objevuje v kontextu času předpřítomného a kdy se předpřítomný čas objevuje v kontextu času minulého, se musel stanovit jejich časový a sémantický rozměr. Za tím účelem byl vytvořen model časů, který byl založen na zjednodušené charakteristice časů současné angličtiny. Konstrukce a kontext minulého času tím pádem vyjadřují pouze uzavřenou minulost (oddělenou od přítomnosti). Naopak čas předpřítomný zahrnuje události, které započaly v minulosti a které jsou spjaté s přítomností.

5. Analýza

Výsledky studie jsou rozděleny do dvou hlavních částí. Kvantitativní část dokládá počty jednotlivých konstrukcí a jejich četnost výskytu. Kvalitativní část sdružuje konstrukce, které jsou si sémanticky blízké, a člení je do deseti kategorií. Každá kategorie je doložena příklady z jednotlivých desetiletí.

Z kvantitativního výzkumu je patrné, že minulý čas se vyskytuje v záznamech v průměru 25krát častěji než čas předpřítomný (předminulý čas se vyskytuje jen o něco častěji). V prvních dvou desetiletích se čas předpřítomný používá přibližně stejně často. V posledním sledovaném desetiletí užití předpřítomného času v porovnání s předchozími desetiletími stoupl. Co se týče variace, případů, kdy se minulý čas vyskytuje v kontextu předpřítomného času, je dohromady 417 (v práci označeno jako *předpřítomný čas, formálně vyjádřený časem minulým*). Nejméně případů pochází z posledního desetiletí. Případů, kdy se předpřítomný čas vyskytuje v kontextu času minulého, je méně, dohromady 133 (označeno jako *minulý čas, formálně vyjádřený časem předpřítomným*). Téměř polovina případů přitom pochází z posledního desetiletí. Na četnosti případů v jednotlivých desetiletích lze pozorovat tendenci vytěšňovat minulý čas ze sémantického kontextu předpřítomného času. To se ovšem nedá říci o času předpřítomném v kontextu času minulého. Celková čísla však ukazují, že variace jako takové ubývá.

Kvalitativní část se snaží o klasifikaci jednotlivých případů variace do kategorií, které jsou zároveň pokusem o vysvětlení jejich používání. Dvě hlavní kategorie jsou převzaty z kvantitativní části: *předpřítomný čas, formálně vyjádřený časem minulým*, a *minulý čas, formálně vyjádřený časem předpřítomným*. První kategorie má tři podkategorie podle tří adverbíí: *never*, *always* a *ever*. Minulý čas se ve spojení s těmito adverbii vyskytuje pravidelně a tvoří v podstatě idiomatická spojení, která se dochovala do současné angličtiny. O jejich stabilitě až do počátku devatenáctého století hovoří čísla v tabulkách 3 a 4. V polovině století devatenáctého ustupuje minulý čas i v těchto idiomatických spojeních času předpřítomnému, a to zřejmě také kvůli tomu, že si mluvčí začínají spojovat sémantický kontext předpřítomného času se správným gramatickým časem.

Druhá kategorie klasifikuje případy minulého času, který je formálně vyjádřen časem předpřítomným. Tato kategorie je menší a obsahuje dohromady jen 133 případů, ze kterých jsou v analýze použity ilustrační příklady. Kategorie je rozčleněna do sedmi podkategorií, jejichž názvy jsou odvozeny od principů, které se zdají pro užití konstrukcí rozhodující. Podkategorie jsou vyloženy v následujícím pořadí: „Dva mluvčí“, „Důraz na opakující se činnost/událost“, „Obecný x určitý zážitek“, „Čas paměti“, „Smysly“, „Koordinace“ a „Nezařazené případy“.

6. Závěry

V závěrečné kapitole jsou shrnuty výsledky a nedostatky práce. Z výsledků vyplývá, že variace minulého a předpřítomného času ve studovaných obdobích ustupovala a její ústup je

nejlépe pozorovatelný na výsledcích z poloviny devatenáctého století. Ústup variace tedy souhlasí s doklady o stabilizaci systému časů do podoby současné angličtiny. Pokud jde o variaci času minulého v sémantickém kontextu času předpřítomného, tak i ta přes značnou stabilitu v idiomatických spojeních ustupovala, zřejmě díky narůstající pravidelnosti v systému časů. Variace času předpřítomného v sémantickém kontextu času minulého je složitější: její nárůst v polovině devatenáctého století je proti očekávání. Zatímco ve století osmnáctém se dá tato variace vysvětlit neostrými sémantickými hranicemi mezi časy, v devatenáctém století by se časy již proti sobě měly sémanticky vymezovat. Zdá se však, že mluvčí v devatenáctém století měli problém se v určitých kontextech bez příslušných adverbii orientovat anebo možná jen spoléhali na pocitovou stránku vyjádření. Podkategorie, které jsou uvedeny v analytické části, se snaží najít důvody právě pro tuto variaci. Jednou z možných domněnek je, že se tato variace pravděpodobně pojila s větším užitím předpřítomného času obecně.

Ze studie také vyplývá, že mluvčí všech společenských tříd používali variaci časů v přímé řeči ve stejné míře. Nedá se tvrdit, že nevzdělaní a chudí lidé by používali variaci časů častěji než lidé vzdělaní a společensky výše postavení. Pokud měli gramatiky nějaký vliv na užití času v mluveném projevu, ukazuje se to až v posledním zkoumaném desetiletí.

Nedostatky práce jsou víceméně dané ve vytyčených požadavcích na sběr dat a prototypickém přístupu k jednotlivým časům. Užší specifikace na delším časovém úseku by možná přinesla výsledky čitelnější. Klasifikace případů do podkategorií se potýká s problémem překryvu některých kategorií a s malým počtem příkladů. V neposlední řadě je nutno zmínit, že obraz variace je neúplný bez času předminulého, který vstupuje do variace jak s časem minulým, tak předpřítomným. Co se týče syntaxe, je třeba se v následujícím výzkumu zaměřit na typy vět, ve kterých se variace vyskytuje nejčastěji, a vysvětlit, co se děje v časových větách s adverbii *after*, *before* apod. Je ale také možné, že variace časů v mluvené moderní angličtině byla natolik složitá a posun do současné mluvené angličtiny tak pozvolný, že by bylo dobré vzít v úvahu celkovou povahu jak času předpřítomného, tak minulého v mluveném jazyce všech tří století.

Appendix

T H E
P R O C E E D I N G S
A T T H E
Sessions of the Peace, and Oyer and Terminer,
for the CITY of L O N D O N ;
A N D O N
The King's Commission of *Goal-Delivery* of *Newgate*, held at
Justice-Hall in the *Old-Bailey* ; for the CITY of *London*,
and COUNTY of *Middlesex* ;

On *Wednesday*, *Thursday*, and *Friday*, being the 8th, 9th, and 10th of *September*
1731, in the Fifth Year of His MAJESTY's Reign,

BEFORE the Right Honourable HUMPHREY PARSONS, Esq; Lord Mayor of the City of *London*; the Honourable Mr. Baron *Tompson*, Recorder; Mr. Serjeant *Umlin*, Deputy Recorder of the said City; and others of His Majesty's Justices of *Oyer* and *Terminer* for the City of *London*, and Justices of *Goal-Delivery* of *Newgate*; holden for the said City and County of *Middlesex*.

It appear'd by the Evidence, That the Prosecutor's Wife stepping out of her Shop, turning her Head, saw the Prisoner leaning over the Counter, and found her Money-Drawer open, and the Money gone; that the Prisoner ran away, but being pursu'd, he was taken, and the Money found upon him. The Fact being plainly prov'd, the Jury found him Guilty to the Value of 10 s.

London Jury.
William Kingsley,
Moses Snow,
William Adams,
John Ward,
Robert Green,
William Hancock,
Richard Johnson,
Thomas Darby,
John Ansel,
John Dent,
John Hill,
James Rymel.

Middlesex Jury.
Robert Kent,
Edward Johnson,
Richard Lisle, Jun.
John Marsh,
William Newton,
Thomas Miller,
Ralph Marsh,
George Ingram,
John Hudson,
Thomas Duncie,
Thomas Nichols,
Francis Harris.

Eleanor Cade, of *St. Bartholomew the Less*, was indicted for feloniously stealing printed Cotton, Cambrick, Holland Cloth, &c. the Goods of *John Badgewel*, the 3d of this Instant *September*.

It appear'd by the Evidence, That the Prisoner was Servant to the Prosecutor, and had taken the opportunity to Steal the Goods at several times; part of which were found in her Box, after she was gone from the Prosecutor's Service, and part where they had been pawned, at *Mr. Armsheads* in *Barbican*. The Fact being plainly prov'd, the Jury found her Guilty to the Value of 39 s.

John Wig, of *St. Sepulchres*, was indicted for feloniously stealing 3 s. the Property of *Daniel Falkins*, the 3d of this Instant *September*.

John Anderson, of *St. Botolph's Bishopsgate*, was indicted for feloniously stealing a Silver-Spoon,

Categories: The past simple in the semantic context of the present perfect and vice versa

The categories that have been described in Chapter 5 are here illustrated by one hundred forty-six passages. Each passage creates an immediate context for at least one example of the researched constructions. The preterite and the past continuous constructions are underlined by a simple black line. The present perfect and the present perfect continuous constructions are underlined and lightly highlighted. The past perfect and the past perfect continuous are underlined and highlighted in dark. The constructions that express the variation are underlined and written in a different colour than black. Otherwise, the following passages are the exact copies of the text found in *The Old Bailey Proceedings Online*, including any spelling and typing mistakes present in the original and online versions. The citation format is as specified in *The Old Bailey Proceedings Online*.

A. Never

1. Anthony Dennison . I have lived a great many Years in the Neighbourhood of the Prisoner and his Relations; and I never heard any thing of this kind before. He's a Weaver by Trade, and his Parents are honest industrious People.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 November 2013), December 1731, trial of George Mason (t17311208-38).**

2. John Wilson . I buy and sell Things; old Things, or any Thing that comes in my Way. The Prisoner has come often to my House within this half Year; but I never miss'd any Thing, tho' I have had Rings and Money lying about. The Jury acquitted her.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 29 October 2013), February 1732, trial of Ann Thompson (t17320223-1).**

3. Parker. Yes: For I was in Smithfield with my Sheep at 3 o'Clock, and I thought to get to Uxbridge that Night. I am a Sales-man; I live at Ailsbury, and come to Smith-field Mondays and Fridays. I have returned Thousands of Pounds in Smithfield. I never was pick'd up by such Cattle in my Life. I am sure it happen'd a bad Accident Thing for me; for I work hard, and have a great Family.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 29 October 2013), April 1732, trial of Ann Wentland Mary Harvey , alias Mackeg (t17320419-7).**

4. John Smith . I **have lived** 4 years in the same House with the Prisoner, he is a good tempered Man, and **never used** his Wife with ill Manners, nor any of his Neighbours.

John Woodmore . I **have known** him from a Child, and **never knew** him to hurt any Body, he **was always** good natur'd to me, and so he **was** in general; I **have seen** Fellows abuse him, and he **has never said** any thing again.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 24 October 2013), January 1733, trial of John Bennet (t17330112-3).**

5. Thomas Horn . I **have known** the Prisoner 8 or 10 Years, he **had** a general good Character, and I **never heard** any hurt of him before.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 01 October 2013), June 1734, trial of Joseph Hart (t17340630-5).**

6. Deborah Lockley . I **have known** her several Years, she **was always** a very sober Person; and I **never heard** any thing of her, tending to Passion. She **lived** with a Relation of mine, who **has often told** me, that she (the Prisoner) **express** a great deal of Tenderness and good Nature.

7. Mary Bray . I **have known** her 23 Years, and **never heard** that she **was inclin'd** to Passion, but **was** a sober quiet young Woman.

8. Sarah Willis . And **impoverish'd** herself by her kindness to her Friends - I **have known** her 12 Years, she **behav'd** well; and **was** of so good a Temper, that I **never saw** her in a Passion.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 01 October 2013), October 1734, trial of Elizabeth Pew (t17341016-16)**

9. B. Dell. I **never saw** any thing suspicious - Tis a slight House, has two or three little Rooms on the Ground Floor, and the upper part is a Lost - There is a Garden with a Gate before it, and a Field with a Ditch behind it - I **have seen** Buckles, and such things, and he **cut** Prints. I **have been** at his House Day after Day; and I **have often seen** him at work upon his Prints, but **never knew** him do any base Action.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 March 2014), July 1735, trial of Joshua Dean (t17350702-28).**

10. Mr. Bell. I **have known** him twenty Years, I **have trusted** him with many score Pounds, but **never knew** any harm of him. He is a Watchmaker .

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 07 October 2013), September 1735, trial of Eleanor Byrom John Freeman (t17350911-6).**

11. Mr. Pattison, a Turner. I live opposite to Barthelemi; he works hard in his Shop from Morning to Night - I **have seen** him buy Goods publicly, and **never thought** that he would buy any thing in a private clandestine way; for I **took** him to be as honest a Man as **lived**.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 07 October 2013), September 1735, trial of Patrick Gaffney James Barthelemi (t17350911-14).**

12. Theodore Cleaver . I **have lived** nineteen Years in the Neighbourhood, and **never heard** any thing amiss of him.
13. Mr. Debell. I **have been** his Neighbour Six or Seven Years, and **never heard** any thing amiss before.
14. Thomas Horn . I **have known** him from his Birth, but I **never knew** any hurt of him, and he **always had** a very good Character.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 07 October 2013), December 1735, trial of Charles Horn (t17351210-75).**

15. Susan Bunn . I **never heard** any Harm of him. I **have known** him 4 or 5 Years.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 09 October 2013), May 1736, trial of Richard Nixon William Dobson (t17360505-32).**

16. James Capstick and Sarah Capstick . We **never knew** but that the Prisoner **was** an honest Man; he **has used** our House three Years.
- Q. **Did** you **never hear** he **was** a Smuggler?
- Capstick. Yes.
- Q. How could you take a Smuggler for an honest Man?

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 October 2013), June 1736, trial of George Watson otherwise Yorkshire George (t17360610-54).**

17. Ann Neveil The Prisoner liv'd with my Mother as a Servant: I have known him ten Years, he is a Vintner by Trade, and I never knew or heard that he had ever robb'd any one of a Pin. My Mother keeps Burton's Coffee-House, St. James's.
18. Bridget Carrol . I have known him ten Years. His Father was a very honest Man, and I never heard any ill of him, till now.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 16 October 2013), January 1737, trial of Joseph Herbert (t17370114-1).**

19. Lord Nassau Paulet . I have known Colonel Fuller several Years. I never saw an ill-natur'd Action committed by him in my Life. He is a Man that always behaves with Decency, and I take him to be as good-natur'd a Man, as any I. know.
20. Major General Barryl . I have known him five and twenty Years. I never saw him ill natur'd or troublesome; and I have been often drinking with him in Company, at Times when Men most expose their Passions. I never knew him guilty of an ill-natur'd Action in my Life.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 20 October 2013), September 1737, trial of Francis Fuller (t17370907-39).**

21. Mr. Eustace. On Sunday Night last, I was at a Tavern with Mr. Justice Midford and the Prisoner, and Mr. Current came in. (...) I went to him in New-Prison, and there he told me that one Thomas Jones had the Watch, and that he deliver'd it to another Man, the very Moment that it was taken, and promised me again that it should be deliver'd to me next Morning at 10 o'Clock, but I never saw any Thing of it. He has promised me to return it Day after Day, but never did so.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 21 October 2013), January 1738, trial of Thomas Jenkins (t17380113-4).**

22. Martha Cassedy . I never saw the Prisoner in my Life, - I hope you'll excuse me, - I never was here before, - I mean, I never saw her 'till I saw her here; but I have seen the Prosecutor, and the Prisoner is not the Woman he brought into my House in Wardour street; she was a lusty clever Woman, and brought the Prosecutor in, about 10 or 11 at Night, and call'd for a Pint of Two-penny, - about 6 Months ago.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 October 2013), October 1738, trial of Margery Stanton (t17381011-15).**

23. Watkins. I never saw this Man (Chapman) in the House, nor have I ever drank with him

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 October 2013), May 1739, trial of Sarah Barnes Margery Akers (t17390502-4).**

24. JAMES SULLIVAN sworn. I live at No. 45, Cross-lane, Holborn; I keep a cook's shop and green-grocer's.; I have seen her as a customer, and never knew any thing dishonest of her.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 25 November 2013), February 1791, trial of SARAH SMITH (t17910216-24).123.**

25. MARY MILLER sworn. I live in Peter-street, Turnmill-street; I have know the prisoner about six years, he drives a jack ass in the street with eatables ; I never knew a fault in his character in my life.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 09 December 2013), April 1795, trial of JOHN PERCIVAL (t17950416-27).**

26. He is an old acquaintance, he has slept often with the young woman that lived with me, though he never did with me.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 09 December 2013), July 1795, trial of DEBORAH GOODWIN ALICE WYNN (t17950701-17).**

27. Q.Is not the Bear and Ragged Staff a usual place for stray bullocks to be taken to?
- A. It is very possible, but it is a house I never went to in my life; I have heard since that it is; it is a place, like many others round Smithfield, when butchers cannot pay for their beasts, they are locked up there.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 12 December 2013), February 1796, trial of JOHN ELLISMERE DAVID SLOKAM (t17960217-60).**

28. Prisoner's defence. I have been in London sixteen years, and never did any thing of the kind before; I have a large family, and beg for mercy

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), September 1796, trial of DAVID JONES (t17960914-17).**

29. Q. As to his sobriety? - A. I never knew him in liquor in my life; he was brought up by my father, and has lived with me ever since; he has drove this Mail from the first day I had it, which was the 19th of February; I think he has drove different Mails for me a great many years.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), September 1796, trial of WILLIAM CLARK (t17960914-22).**

30. Q.(To the Prosecutor.) Do you know any thing of this man? - A. I never heard any thing to his advantage; I have heard a great deal to his disadvantage.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 07 January 2014), October 1796, trial of RICHARD JOHNSON (t17961026-47).**

31. Q. You never asked any body which was the horse-stealer? - A. No.

Q. Not Weeks, or any body else? - A. No.

Q. Upon your oath have you never asked any body in the house, in the Brown-bear, which was the horse-stealer? - A. I did not.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 January 2014), January 1797, trial of JOHN NOTLEY (t17970111-22).**

32. Q. You never heard of a reward in case of a burglary? - A. I did not know whether it was a burglary or a felony.

Q. Did you ever hear of a reward in case of a burglary? - A. No; I never heard of such a thing.

Q. How long have you followed this trade? - A. Six years.

Q. And never heard of a reward in a case of burglary? - A. No; I know the officers get a reward, but I did not know that any other person had it.

Q. How often have you been examined here? - A. Never before.

Q. Nor any where else? - A. No.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 January 2014), April 1797, trial of WILLIAM NOAH JOSEPH JEF COURT FRANCES GUNNING (t17970426-47).**

33. Q. (To the Boy.) Your mother says, you have told her, that you have lately been taught the nature of an oath? - A. I never told her any such thing.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 23 January 2014), December 1798, trial of JOHN COLLEY (t17981205-22).

34. Q. Do you know, that if this man is convicted, there is forty pounds reward? - A. I do not know any thing of the kind.

Q. You never heard of it? - A. I would not wish it.

Q. Have not you heard of it? - A. Yes, I have.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 25 January 2014), February 1799, trial of MICHAEL DUFFEY (t17990220-26).

35. Q. Have you been subpoenaed at all? - A. No, I came here induced by the singularity of this trial; I never saw the prisoner before, and I have been induced, from curiosity, to look at this woman.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 29 January 2014), September 1799, trial of JEREMIAH BECK (t17990911-18).

36. I have never seen him since he left the ship Suffolk, in Melbourne, and the ship came home—I saw him last at the latter end of May—he was living with me then at my house—he had been living with me since I have been married except the time he has been to sea—I have heard about him since May—I know he is in Melbourne—I have got my papers to show that I am married—my husband did not leave me any half pay, and I went to service, and that was how I knew Condon—I have known him since last May—I knew him by being in service opposite where he lives—I know his brother, and I know his family—I have not been on intimate terms with his brother, only the same as I was with him—I swear that—I know the Barking-road—I was in service there seven weeks—I left the service I was in in Earl-street, Lime-house, and I went to Barking-road and was there seven weeks—I was obliged to leave because I was not able to work—I was never threatened to be given into custody for stealing—on my solemn oath I have not been living with the prisoner Condon's brother, nor with anybody since my husband left me—Condon's brother did not wish to take me to his mother's house, nor was it objected to by the prisoner—I never had any quarrel with Condon—I never threatened that I would transport him if I could—I have always been civil to them and so have they to me

37. I never saw him at my house—he has never come to see me, only since this occurrence, never before—I met him once before in the street, and he spoke to me—I never walked with him before this night—I never drank with him—I was going down Limehouse-causeway on this night when I saw him, and knowing me, he said, "Annie, five of my men have run away from the ship"—

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 05 February 2014), February 1861, trial of JAMES CONDON(21) JAMES BUCKLEY(21) (t18610225-216).

38. . I never consented that she should go away with the prisoner—I have always forbidden it, and he knows it

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 05 February 2014), June 1861, trial of ALFRED CULMER (25) (t18610610-460).

39. Cross-examined by MR. COOPER. Q. Are you quite sure he said he killed and dressed it, or did he say that a butcher, of the name of Taylor, had killed and dressed it, and that he had merely sent it? A. No, he did not—I am quite sure of that—he never mentioned the name of Taylor—a good deal of boiling water is used sometimes in the process of dressing—I do not know what the defendant knows of meat—I never slaughtered meat, but I have superintended it when it was slaughtered—if it was quite fresh the day it was killed, I am quite sure it would not be in the state in which I saw it a day or two afterwards—diseased meat will decompose more rapidly than good meat—the disease would certainly be seen at the time of killing and dressing.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 06 February 2014), April 1861, trial of THOMAS SPENCER (38) (t18610408-352).

40. I never struck her in my life—I did not see her fall more than once—we were first of all on the first landing—the injury to me was on the second-floor—I did not see my son at all; I only saw two persons in the room—he has not told me that he was there—he is not living with me; he says he will go where his mother does—I rent a room down at Greenwich, and rent this place as well—my son was living in Poppin's court—this is the hatchet (produced) with which my wife was chopping the bird-cage and the box—I did not see a poker in the room—the policeman has got one in his hand now—I have not spoken to my son about this, he is such a bad

boy—he **has threatened** to kill me before—it was a little before 3 o'clock, as near as I can guess, when the blow was struck—I was not ill-treating my wife at that time—I could take 40,000 oaths I **have never ill-treated** her in my life

***Proceedings Online* (www.oldbaileyonline.org, version 7.0, 12 February 2014), March 1862, trial of CHARLOTTE BOWEN (40) (t18620303-280).**

41. Cross-examined. Q. How long **have you known** Collier? A. A little over. six years—I **never knew** anything against him—he **has been working** for a carpenter and builder—he was admitted to bail.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 19 February 2014), October 1864, trial of ALFRED HAY (38) GEORGE COLLIER (18) HENRY WARD (21) (t18641024-922).**

42. JAMES ROSE (Policeman, G 228). I saw the prisoner after he was taken—he stated that he was very sorry for it; that he did not intend to shoot him—he said the gun **had gone** off by accident—I **have known** him some time—I **never knew** anything of him.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 19 February 2014), April 1865, trial of EDWIN SUTHERLAND (24) (t18650410-361).**

43. I **had not been** abusing Mrs. Vincent for something, before Mr. Vincent came down—I **never uttered** one word—I **have not used** bad language since I **have been** in the house.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 19 February 2014), January 1866, trial of WALTER VINCENT (33) (t18660108-169).**

B. Always

1. A Butcher. I **have known** the Prisoner several Years. He is a poor foolish Fellow, and all the Boys in the Market used to make Game of him, and play Tricks with him; I **have seen** 'em black his Face, and carry him about in a Basket, and then throw him out into a Kennel to wash him; but I **never saw** him provoked or fall in a Passion at such Usage; so far from it, that when he **has got** from them he would run into a Corner and laugh at them. He **had always** a very honest Character, and **has often been trusted** by me and several others in the Market. I **never observ'd** any

thing like a spiteful revengful Temper in him, let what wou'd be done to him. The Deceased was as vile a Lad as any about the Market; he was so idle, that he sold his Knot and Basket because he would not work, and used to loiter about and sleep upon Bulks.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 04 November 2013), December 1732, trial of Richard Albridge , alias Alder (t17321206-5).**

2. MR thomison I heave been at Londin and heas brogt eaney lytell thing that I had ther in order to setell in * dr Scotland wher I am loved and known I heave lost my all with peepoll runing a way in my det but not with standing of all that as I allwais promised to doo you juistis I doo beyond pouer I heave ordered you ten pounds woorth of nerey pritey goods to be delivered to you by woon mr cheambers and upon your full discarg to me he shall de liver you the goods Scotland in Six months after deat this is the full of what I own you for you know your a Count is not Just and by your receat I can prone the Seam but how ever be that as it will I am not eabell to do mor then I + ckean and beliuue me if I had not a mercy great uellow for you I wood not heave given my self this trubell so if you pleas to accept of this you may, and if not, you me let aloo I wish euerey body wood pay me as weel I should not heave such loses as I heave this is all from Sr your most hombell Sernen

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 04 November 2013), December 1732, trial of Alexander Chalmers (t17321206-28).**

3. Susan Glover . I have known the Prisoner two or three Years; I always took her for a good-natur'd, inoffensive, modest Girl, and I was extreamly startled at the News of her having had a Child; I talk'd with her about it - she complain'd of her Father for deluding her, and said she had indeed had a Child, but that her Father took it from her, and she did not see it more. There were no Marks of Violence on the Child, and I believe it might bleed to death thro' her Ignorance and want of proper Help.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 28 October 2013), December 1733, trial of Mary Doe (t17331205-20).**

4. Alexander Gillender . I have known him from a Child; he was born over-against me; I always reckon'd him a very honest Boy, and I have enquired of several People, with whom he has liv'd and have heard nothing, but that he was a very honest Fellow.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 16 October 2013), January 1737, trial of Joseph Herbert (t17370114-1).**

5. General Wills . Mr. Fuller is my first Major; and ever since I have had the Regiment he always appear'd a good-natur'd Man, and has often beg'd off Men from Punishment. I never knew him guilty of an ill-natur'd Action in my Life; on the contrary, I have pardon'd Men at his Request. I don't remember that I had ever any Man complain'd of him, but once, and that was about five Years ago. A Man complain'd he had struck him with his Cane, and upon my speaking to Mr. Fuller about it, he told me he never more would carry a Cane, or ever strike any of them again.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 20 October 2013), September 1737, trial of Francis Fuller (t17370907-39).**

6. Amelia Harrup . I have known him ten Years, and have dealt with him for Cloth, Handkerchiefs, and Stockings. I buy them of him, and sell them again to my Acquaintance, I always believed him to be a very honest, just Gentleman.
7. Henry Kingman . I live at Froome, and have known Tanner 10 Years. He always behaved like a very honest Man.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 October 2013), December 1738, trial of Robert Andrews (t17381206-23).**

8. ROBERT KILLINLY sworn. I knew Mr. Bonus at school, and have known him all that time; I was in the habits of intimacy with him, and I always found his connections were extremely respectable, and himself always regarded; he bore the general character of an honest man; I have had frequent opportunities of seeing his hand writing lately.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 03 December 2013), October 1792, trial of JOHN BONUS (t17921031-56).**

9. JOHN CHILD sworn. I am one of his Majesty's messengers; this was the guard of the Weymouth coach, during his Majesty's residence there; I have had frequent opportunities of observing his conduct; I always looked upon him to be a very civil sober man, remarkable good natured and civil.
10. WILLIAM WHITE sworn. I keep the one tun at Brentford; I remember the mail coach arriving to my inn about two months ago, it was on that night that the accident happened on the road, Patrick Read the prisoner, came into my house that night, he asked me to look in his face, on his right cheek I saw a mark, and he told me that the hackney coachman whipped him as he was coming down Knightsbridge, it was a wheal appeared to be recently given by a stroke of a whip; he appeared always a good natured well behaved man as ever I saw in my life; I have known him three or four years.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 03 December 2013), January 1793, trial of PATRICK READ (t17930109-6).**

11. WHITE sworn. I have known Porter all his life, he always bore a very good character; he worked for me high twelve or thirteen months.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 December 2013), November 1794, trial of CHARLES PORTER GEORGE GROVER (t17941111-19).**

12. THOMAS MILLS , Esq. sworn.

Q. You are a counsellor at law in Lincoln's Inn? - A. Yes; I have known this man more than sixteen years; he was a postilion to my father three or four years; he behaved extremely well; I had directions from my father to get him a better place; I did; he behaved extremely well in that place; a few years ago I recommended him to another place, after having made an enquiry into his conduct in the former places, which I found to be as good as when he lived with my father; I have had the opportunity of hearing from him constantly; from that time to the present he was always industrious, and supported his wife and family by his labour; he is a most excellent coachman, and I have, since he was taken up, heard such a character as few men in his situation could boast; he was confined in the hospital about five months ago

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 11 December 2013), December 1795, trial of HENRY SANDERSON (t17951202-2).**

13. Cross-examined by. MR. DICKI Q. I suppose you cannot state that parcels never go out of your place without the printed labels? A. I could not say that—I have been in the establishment only three years—I am told the prisoner has been there nearly four years—I always knew him as a respectable man.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 February 2014), October 1861, trial of ALFRED SIMPSON (37) (t18611021-847).**

14. MR. COOPER. Q. Is that common to fat beasts as well as lean? A. Yes, it is—I have known the prisoner all my life—I never heard anything against him—he was always an honest, hard-working man, and respected by everybody about there.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 February 2014), April 1861, trial of THOMAS SPENCER (38) (t18610408-352).**

C. Ever

1. Prisoner. I went to see a Gentlewoman of my Acquaintance, who gave me the Head to dispose off for her. I knew of no Body so proper to apply to on that Occasion as Mrs. Laserre my Mantua-maker, and I told her who I had it from. Fitz-Williams has known me these five Years.
Fitz-Williams. Yes, I have so, and I can't say that I ever knew any harm of her before.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 29 October 2013), May 1732, trial of Mary Bradley , alias Brudenell Elizabeth Holms , alias Pratt (t17320525-4).**

2. Nay Madam if that's the Case I am as far off as ever, tho' it has cost me three times more to get this Case than ever the Case was Worth.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 07 October 2014), December 1735, trial of Ann Drury alias Walker (t17351210-8).**

3. Mrs. Jodrell. I was at a Labour, where a Gentlewoman came 2 or 3 Months before her Time, and the Child is alive now, and a Man grown; it was her first Child; and

this is the only Instance I ever saw. I have been mistaken six Weeks in my own Reckoning my self.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 October 2013), April 1737, trial of Mary Wilson (t17370420-18).**

4. Councel's Prosecutor. I believe this is the first Time that the second Wife's Testimony was ever call'd the best Evidence. In this Case, the young Woman has thought fit to chuse the Prisoner for a Husband; the Fear of losing him might exasperate her, but these Persons which we call, must be allow'd to be unbiass'd, and to be indifferent Witnesses.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 20 October 2013), October 1737, trial of Henry Lyford (t17371012-26).**

5. FRANCIS LILL sworn. I live at the Bell-savage-yard. I have known him about two years, always a genteel young man, and kept the best company: as far as ever I saw, a very honest young man.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 28 November 2013), December 1791, trial of EDWARD BEAN , otherwise BROWN (t17911207-18).**

6. Q. Have you ever seen the prisoner before? - A. No.
Q. Have you ever had any doubt that it was the prisoner that was present at the time of the sale of the mare? - A. Yes; he was present at the time the mare was sold.
Q. Were you ever uncertain about it? - A. No.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 13 January 2014), January 1797, trial of JOHN NOTLEY (t17970111-22).**

7. Q. Had you any knowledge of Mr. Beck before? - A. I do not know that I ever saw him in my life; it is very probable that I have, but I do do not undertake to say that.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 29 January 2014), September 1799, trial of JEREMIAH BECK (t17990911-18).**

8. JAMES NEWMAN . I am one of the meat inspectors of Newgate-market—I saw the four quarters of cow beef, about which Mr. Fisher has now been giving his

evidence—it has been my duty about seven years altogether to inspect meat—I think this was the worst I ever saw

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 06 February 2014), April 1861, trial of THOMAS SPENCER (38) (t18610408-352).

D. Two speakers

1. Mary Elizabeth Holms . As I was sitting at the Rose and Crown Door in the Market, I saw the Prisoner hassle up to the Prosecutor and pick her Pocket, so I goes to the Prosecutor, and old Gentlewoman, says I, what Money have ye got? Why, 17 s. and 6 d. says she; but when she felt in her Pocket she found it was empty, and with that I goes up to the Prisoner (for I kept her in my Eye all the while) you bold Bitch, says I (for I did call her Bitch, my Lord, that's true) you have pick'd this good Woman's Pocket; I pick'd her Pocket ye Bitch , says she again, if ye speak such another Word, I'll make an Example of ye, and presently she took up the Prosecutor's Apron, and was going to put the Money into her Pocket again; but I would not let her, so I catch'd hold of her Hand, and took the Money out of it, there were 4 half Crowns, and the rest were Shillings and Six pences, which in all, made just 17s. the old Woman said, there should be 6 d. more, but whether or no that drop'd in the Struggle, or what became of it I can't tell.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 29 October 2013), February 1732, trial of Ann Thompson (t17320223-1).

2. Councel. Have you never declared that the Prosecutrix attempted to hire you to rap, as they term it?
Leaf. I don't know that ever I did.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 16 October 2013), February 1737, trial of Robert Holland (t17370216-58).

3. Q. Did you ever see him and his first wife together? - Not his first wife, I have not seen her; I was present at the second marriage, on the 2d of June, he was married

to Mary Lavender, it was at Aldersgate church, she was a single woman, the woman that is in court.

Q. How came you to be there? - I was an acquaintance of Mary Lavender's, that is all.

Q. Have you seen the husband at any time besides the day of marriage? - Yes.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 04 December 2013), February 1794, trial of JOHN EVANS (t17940219-9).**

4. Q. You never heard of a stray bullock being recovered? - A. I have heard of their being recovered in that way, but I would scorn to recover any of mine in that way.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 12 December 2013), February 1796, trial of JOHN ELLISMERE DAVID SLOKAM (t17960217-60).**

5. Q. What character has he borne during the time you have known him? - A. He was an ignorant man, because he could not read nor write, but I would have sent him out with a 10l. note, I thought him to be an honest, hard working man; I was never more surprized than to hear what happened to him.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 08 January 2014), November 1796, trial of JOHN BANNISTER (t17961130-28).**

6. JOHN SMITH sworn. - I am a coachmaker, No. 38, Tuston-street, Westminster: I have known the prisoner twelve years, till within about a fortnight before this happened, he had frequently been at my house; he is sixty-nine years of age.

Q. Were you intimately acquainted with him? - A. I have frequently sharpened his saws for him, and he has communicated his mind frequently to me.

Q. From the opportunities you had of observing his mind, tell the Court and Jury what your ideas were with respect to the sanity of it? - A. I have frequently known him so disturbed in his mind, and so perplexed, that he was like a madman at times; a little more than a twelvemonth ago he came to my house in a disturbed unhappy state, and was communicating how disturbed he was in his mind, and that he should make away with himself

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 January 2014), October 1798, trial of JOHN BOND (t17981024-7).**

7. Q. Do you know how long this man has lived in your neighbourhood? - A. I cannot say.
- Q. Has he lived where he now lives during all the time? - A. No; he lived there about five or six months.
- Q. Where did he live before? - A. In different parts of Wapping.
- Q. Where did he live then? - A. In Crown-court, Wapping.
- Q. So that during all the time you have known him he has lived in and about Wapping? - A. He did.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 25 January 2014), February 1799, trial of MICHAEL DUFFEY (t17990220-26).

8. Q. I did not ask if you were a thief, but you have been a perfectly chaste, modest girl - you have never been walking about the Temple, asking gentlemen to go with you? - A. No, I never walked with any gentleman about the Temple.
9. Q. You never pawned any thing to raise this money? - A. I have pawned, because I would not break into this money.
10. Q. Have you heard this woman, Jane Gibbs, examined here to-day? - A. I heard a part of her examination.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 29 January 2014), September 1799, trial of JEREMIAH BECK (t17990911-18).

11. MR. DICKIE. Q. Did you know them both before? A. Yes; they have been neighbours of mine while I have been living in such a place; I do not like it, but I have been obliged to come to it—I did not interfere—I had nothing to lose, but I did not want to be kicked.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 14 February 2014), June 1863, trial of JOHN HURLEY (27) ELIZABETH BROWN (20) (t18630608-804).

E. Stressing repeated action/experience

1. She trusted the Keys and Goods too, to my Care, for she and I were very familiar, I have lain with her many a Time.
- F. Upon my Oath he never did, why, does your Lordship think I was lye with such a Jackanapes as he is? The Goods I trusted him to give to Mr. Hayward and the Brewer, was before I went out of Town.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 04 November 2013), December 1732, trial of Alexander Chalmers (t17321206-28).**

2. Finch. But I met the Prisoner himself not long after, and he said, What Cheer Finch? Pretty Cheer indeed, says I, you have made a fine piece of Work of it! your Boy is dead it seems, but it's what I expected. Why, says he, I own I have beat the Boy, but that was not the Cause of his Death.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 24 October 2013), January 1733, trial of John Bennet (t17330112-3).**

3. Ann Dean. He lodged in my House 3 or 4 Months. My Husband is a Watchmaker, and he has trusted him several Hours together in our Garret where our Work both Gold and Silver is, and is never lock'd up.
Court. What Business does he follow?
Dean. I have heard that he sometimes works upon the Keys as a spare Man.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 02 October 2013), December 1734, trial of Samuel Luelling (t17341204-8).**

4. Mr. Knapp. How often have you seen this man write? - Only once

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 28 November 2013), December 1791, trial of EDWARD BEAN, otherwise BROWN (t17911207-18).**

5. Prisoner's defence. My Lords, and Gentlemen of the Jury. May you live for ever, and may it please you that I may find grace in your fight. I am happy that I have to make a defence before your Graces, because ye have wisdom to discern between wickedness and simplicity. (...)When I came there, the Lord was pleased to open a door in his providence for me, and I got work, and between us both we could get a tolerable good living for poor people, our income was about a guinea a week between us both, but I was dreadfully persecuted by her, many times have I been in danger of my life, she has gone to bed with a knife by her side to kill me.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 January 2014), September 1798, trial of THOMAS CURTIS (t17980912-58).**

6. PHILIP PECKHAM sworn. - Examined by Mr. Knapp. I am a carpenter and builder, in Jermyn-street, St. James's; I have known the prisoner many years; in the

year 1792 and 1793, he was in the habit of working for me the greatest part of the time.

Q. During that time, was there any thing led you to take notice of the state of his mind? - A. At different periods he would be away from his work, and walk about the streets like a man deranged in his senses, without any known cause; I have set him to work in a morning, and he has left it before night without any known cause.

Q. Did his conduct evinced to your mind that of a disordered mind? - A. At those times that I have now mentioned it did.

Q. Has he worked for you since? - A. In 1794. and 1796 he worked for me, and his fits grew worse upon him, and more frequent; I employed him but a very short time, at that period, in consequence of that; since that time I have known nothing of him.

7. Cross-examined by Mr. Knowlys. Q. You don't mean to say he was constantly deranged in his mind, but had occasional fits of derangement? - A. Yes.

Court. Q. Did you observe any thing particular that brought on those fits upon him? - A. Many times his wife has come and sent for him, but at other times, without any known cause to me, he has gone away and left his work.

Q. Did you ever observe any other symptoms about him than that of a gloomy melancholy disturbed man, that could induce you to suppose he did not know what he was doing? - A. I cannot say that I ever did.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 22 January 2014), October 1798, trial of JOHN BOND (t17981024-7).

8. I did not know when I had called over all, that there were any left—West assists Walklin to pack up the parcels; they are made up openly in the warehouse—I have sometimes checked them with West when Walklin was not there at all, and I believe the boy West sometimes packed up parcels when Walklin was not there
9. I never heard of too many parcels being sent out in mistake, but there have been mistakes—Mr. White was in the room when Walking told me to take the parcels out to the van—Mr. White said, "I hope the van has not gone, if you have not got all the parcels in it"—he was getting this very parcel ready at that time—I have sometimes checked parcels when Walklin has not been there—it is sometimes done by book and sometimes from memory, but then the parcels are there, though

not the rough notes—I have always seen Walklin hard at his work from 7 in the morning—we are sometimes there as late as 12 at night, just before Christmas.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), January 1861, trial of DANIEL DANIELS (45) THOMAS WALKLIN (24) WILLIAM GILES BOLLEN (32) (t18610107-126).**

10. Cross-examined by MR. RIBTON (for Condon). Q. How long had you been with the witness Davison that day? A. About an hour I should say—I had had one glass of ale—we had been to a publichouse in the neighbourhood—I don't know that Davison is a woman of the town—I can't say, she has been washing and repairing my clothes—I have given her money, I paid for my washing—I used to treat her with a glass of ale when she came—I did not know anybody else to show me to the police-station

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), February 1861, trial of JAMES CONDON(21) JAMES BUCKLEY(21) (t18610225-216).**

11. Cross-examined. Q. Were you aware she was in the habit of going to concert-rooms? A. Yes, perfectly aware: she had always some one with her, her sister—Mr. Cameron has been with her—he is a very respectable young man

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), June 1861, trial of ALFRED CULMER (25) (t18610610-460).**

12. I have never sent him down to vessels that have arrived with cargoes of fruit from abroad—that was not his employment at all—we have different men for different purposes—he was confined to the warehouse—I dare say he has swept up the warehouse—he removed goods sometimes from one part of the warehouse to the other—he came there at about 10, or half-past 10, and left about 4

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 14 February 2014), June 1863, trial of JOHN HURLEY (27) ELIZABETH BROWN (20) (t18630608-804).**

13. HENRY CLARK . I live in David-street, Marylebone—the prisoner is my sister—I have noticed since she has been married that she has been at particular times in a very low, depressed state—I have noticed her crying at times, and being very low in spirits—there were no domestic annoyances to account for that—often when I

have been shaving of an evening, she has seen me with a razor in my hand, and has said, "Oh, brother!" and rushed out of the room, and she has come into our room, and asked us to let her remain while her husband was shaving.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 17 February 2014), July 1863, trial of MARY ANN PAYNE (21) (t18630713-890).

F. Experience general vs. particular

1. And therefore, pray, my Lord, stand by the Watch whatever you do, or else my People will be undone; they will be robbed, and have their Throats cut, and their Houses burnt about their Ears. The Prisoner has threatened to be even with the Watch, but he did not say which of them; therefore, I hope, the Watch will be protected. When I knocked the Prisoner down, he reeled six Yards before he fell, and then he said I had killed him.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 25 October 2013), April 1733, trial of William Raven (t17330404-13).

2. Prisoner. I was in that man's shop before, I have bought stockings and things these five years of him; stockings, handkerchiefs, and ribbons of one thing and another; I have served him with fish.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 05 December 2013), December 1794, trial of ELIZABETH COX (t17941208-27).

3. BENJAMIN THOMAS sworn. I live at Brecknock, in South Wales: I have known the prisoner, Parry, and his family, upwards of twenty years; they were people of respectability and property; the prisoner bore a very good character; I had a transaction with him of a recent date, I bought an estate of him, eight or nine months ago; there was a circumstance happened, in which he could have taken an advantage of me, and he came forward in the most honourable manner.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 12 December 2013), January 1796, trial of PHILIP PARRY THOMAS THOMPSON (t17960113-28).

4. Q. Do you know Gowlett? - A. Yes; I have known him about a twelvemonth: On the 12th of February, I was going from Uxbridge towards Iver; I met him at the distance of forty or fifty yards from me, with a sheep, with a small cord tied round

the horns, driving and dragging it along; the sheep had a very fine turned horn, with an old riddle mark across the shoulder; I helped to shear Weatherby's sheep, and I believe I have helped to mark them; I have been at the marking however.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), April 1796, trial of ISAAC GOWLETT WILLIAM READ (t17960406-34).**

5. GEORGE SEARLE sworn. - Examined by Mr. Knapp. I am a smith, at Battle-bridge: I have known the prisoner at the bar all my life.

Q. Did you know him intimately? - A. Yes.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 January 2014), October 1798, trial of JOHN BOND (t17981024-7).**

6. Q. Do you know the prisoner? - A. Yes; he drove several lots of sheep in Mr. Spencer's name; I have known him, I dare say, four or five years; he has been in the habit of bringing sheep for Mr. Spencer.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 28 January 2014), June 1799, trial of ROBERT WALKER (t17990619-1).**

7. JAMES FLETCHER . I live at York-road, Battersea, and am a master drover—I have known the prisoner five or six years—he has been a journeyman drover to me, but only for Sunday night work—it was not his duty, to my knowledge, to buy or tell cattle—I have several times seen him in company with Sayers—I never knew him to buy cattle or carcasses on his own account—I never authorized him to sell any for me—when sheep are maimed, they are taken to the slaughter-house and slaughtered; it is for the master drover to sell them, from the instructions from the salesmen—it is no part of a journeyman drover's business to do so.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 12 February 2014), July 1862, trial of JOHN TAYLOR (19) (t18620707-725).**

8. I had called there occasionally, but did not make a practice of visiting there before that—it continued until about two and a half or three months ago—I did not often go about to places of amusement—I have taken her about, certainly—I did not make her pay for herself; the expenses were trifling—I mean really to say that I was not proposing to marry this young lady—I never told her father that I was a

suitor for the hand of his daughter—I never exchanged half a dozen words with the father—he did not object to my taking her about without proposing for her—I believe he is an auctioneer—my wife came to my place of business some little time before the prisoner was taken into custody to ascertain from the books how much money I had been drawing

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 17 February 2014), February 1864, trial of WALTER CRANBROOK WOOD (28) (t18640201-217).

9. I have been at the prisoner's very often—I never dined there—I occasionally drank tea there—I was on terms of extreme intimacy with him and his wife; his wife managed the bonnet and hat department, himself included: she was the only person engaged in the millinery department—I have borrowed money of him for some long period

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 20 February 2014), June 1866, trial of HENRY BUCKTHORPE (30) (t18660611-517).

G. Tense of memory.

1. Hannah Bowen The Prisoner was my Servant 7 Years and a half I kept a Sutling. and Lodging-house at White-hall 3 Years ago, and I trusted him to take all my Money when I lay in - He has brought me 14 l. on a Night, and I never knew that he wrong'd me of a Farthing.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 02 October 2013), December 1734, trial of Samuel Luelling (t17341204-8).

2. Bloomsbury. I have been to Brumpton, where he has got an Estate, and coming home I pick'd up a Girl at Hide Park Corner, and have been with her ever since.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 07 October 2013), December 1735, trial of Charles Horn (t17351210-75).

3. Eliz Thompson . I have known her from a Baby; she clears Headcloths, and uses her Needle. She made some Shirts for my Husband, and was going with me to buy Trimmings for them, when the (...) I have ask'd the Prosecutor how he could charge a Woman who had liv'd so well? Why (says he) if you're her Friend, give

me a Silver Watch, or disburse 5 l. and I'll acquit her, else I will swear down-right that she had it.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 October 2013), October 1738, trial of Margery Stanton (t17381011-15).**

4. Mary Packenham . The Gentleman that stands at the Bar, lodged with me, - at Times, upwards of seven Years. He has been gone from me two Years and a Half. When he lived with me, he dealt in Irish Cloth and Scotch Cloth, and I, being a Mantua maker, have disposed of some Poundsworth for him.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 October 2013), December 1738, trial of Robert Andrews (t17381206-23).**

5. Roger Lewis . The Prisoner has been in my House about five Months ago, and behaved well. I have heard Whiteer say, he would do what he could to hang the Prisoner. He said it was his Due, and he would take Care he should be hang'd, if possible. I can't say I heard any Thing mentioned about the Reward.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 23 October 2013), June 1739, trial of William Cary (t17390607-30).**

6. JAMES WELCH sworn. I am a calendar glazer: the prisoner has been in my service a twelve-month, his business was to collect things and carry others

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 28 November 2013), October 1791, trial of SAMUEL YOUNG (t17911026-4).**

7. A gentleman came up and tapped me on the shoulder, he said sir, you have lost your pocket handkerchief; the gentleman's name is Joet. Sir, says I, if you have got any handkerchief it is not mine, because I have not pulled out my handkerchief; no, says he, the two men that past you have pulled it out of your pocket, and if you will go with me I will shew you the way they went.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 03 December 2013), October 1793, trial of THOMAS KNIGHT (t17931030-20).**

8. Court to Anslett. What did he confess? - He confessed that he stood and watched, while James Westbrook and William Alexander went and took them. The next day

Westbrook was taken up, and he was admitted as an evidence; he **has been** here to-day, and **has gone back**, and he will be here to-morrow by nine o'clock, if you will be so kind as to put the trial off till then.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 04 December 2013), January 1794, trial of WILLIAM ARSLETT WILLIAM ALEXANDER (t17940115-5).

9. Q. How long **have you lived** with him? - I **have not lived** with him at all, I was in service when I was married to him. (*question about a couple that did not live together for some time*)

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 04 December 2013), February 1794, trial of JOHN EVANS (t17940219-9).

10. Q. Did you make any search after him? - The watchman came to me at that time, and called George, through that I immediately arose (the watchman's name is Campbell) he gave me some information about the bullock, and I immediately got up and pursued to the Green-yard, when I came to the Green-yard I knocked at the gate, and I said **have you got** ever a bullock **brought** there about half an hour or twenty minutes ago? they said yes; I said I should be glad if they would let me see the bullock?

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 04 December 2013), April 1794, trial of JOHN MARING JOHN RANDALL (t17940430-31).

11. JOSEPH HAYNES sworn. I live at Bows Farm, I am an innkeeper; Porter lived with me about half a year; he **has received** money for me; I **always found** him very honest when he lived with me.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 05 December 2013), November 1794, trial of CHARLES PORTER GEORGE GROVER (t17941111-19).

12. Gowlett's defence. Here is a man here that saw me buy the sheep; I have had it nine or ten weeks, I turned it upon the Moor.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 06 January 2014), April 1796, trial of ISAAC GOWLETT WILLIAM READ (t17960406-34).

13. Q. Were those your sheep that were so brought back? - A. They were; the prisoner at the bar has been employed by me for some time, but not at the time of the robbery; he was a shepherd employed by my farmer, and looked after them when they were sick.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 21 January 2014), January 1798, trial of JOHN FOOT (t17980110-4).**

14. Mr. Knowlys. Q. Did you at all go to the India-house on Friday? - A. No, I did not.
Q. Have you been a labourer there since that Friday? - A. No.
Q. Then how came you to tell us you were a labourer in the India-house? - A. I have been there for three years.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 23 January 2014), January 1799, trial of JOHN HAINES (t17990109-11).**

15. JONATHAN BUTCHER (Policeman, K 56). I was on duty in the neighbour-hood of h these shooting grounds—I was there on 3d December—I had known the grounds before that—I have seen persons shooting there, and heard the firing also on 3d December, about half-past 8 in the evening

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), May 1861, trial of JAMES BEASLEY (43) (t18610505-414).**

16. the money was in this bag (The one found on Giss)—I have not the slightest doubt of it—I have had it under my eye every day for three months—next morning I found my desk broken open, and the money gone—there were a number of 3d. or 4d. pieces; one 4d. piece had a hole in it similar to this, it attracted my attention when taken.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 12 February 2014), May 1862, trial of EDWARD GISS (17) HENRY JOHNSON (18) (t18620512-522).**

17. Cross-examined by MR. E. T. SMITH. Q. How long had you known the deceased?
A. About eighteen months—I saw him every day—he drank a great deal of beer—I never saw him "incapable"—I have seen him what you might term "boosey"—he was rather irritable, yet a good temper—I have known the prisoner two or three years—I should say he was a peaceable man.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 February 2014), October 1863, trial of WILLIAM PEKKINS (23) (t18631026-1220).**

18. Cross-examined. Q. You say that in previous years he **has applied**? A. Yes, in 1864, I think—I am sure he made three former applications, all of which were heard by the Bench and discussed—I **had frequently seen** him there—the last time—was in 1864, I think—to the best of my belief, he made no application from 1864 to 1867—he made two or three before 1864—

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 February 2014), June 1867, trial of GEORGE EDWARD GURNEY (65) (t18670610-553).**

19. I **have been** ill for three years with diseased heart and consumption, and my wife **has been** my chief support—the prisoner was sober—I **had never spoken** to him before. (**his wife was dead at the time of the trial*)

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 24 February 2014), August 1868, trial of GEORGE DAVEY (28) (t18680817-681).**

20. Cross-examined. Q. Do you recollect her being confined with her first child? A. Yes; this was the first; she **has not had** one since—she was in a very low and depressed state during her pregnancy—I saw her on the Sunday previous to this, and she appeared very low-spirited—she had, I believe, a particular horror of knives and razors—she **has always been** the fondest of mothers to this child. (**about a mother who killed her child*)

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 February 2014), July 1863, trial of MARY ANN PAYNE (21) (t18630713-890).**

H. Senses

1. J. Wigly. He cut Callico-prints, and made Buckles - I **have often heard** him pound. pound, pound-something or other; and Brid oak often **went** backwards and forwards to him with something in a Flag Basket.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 March 2014), July 1735, trial of Joshua Dean (t17350702-28).**

2. Smith. They were Bedfellows I believe. This was in Bridges-street , where he had co-habited with her three Years, I sell Oranges just by them at the Door of the Play-house. I have seen him pull her in, and lock the Door upon her, and have heard her cry out, Murder.
3. Ann Thomas . I went up Stairs on Friday to see the poor Creature, and ask'd her if I should do any Thing for her; she desired me to get her half a Pint of Beer. I did, and made it hot, with Sugar and Nutmeg: I am afraid said I, that the Fellow has murdered you Mrs. Thomas. Says she. (...) About a Month before, I saw her Arms whaled as thick as a Cane; I have seen him beat her so, that I thought no Christian Creature could have lived. About half an Hour before she died, I says to her, Katey, do you want any Thing? Will Stevens was hanging over her, and he said you want something under your Head; and he put her Petticoat behind her Head; there is no Occasion for it now, says she.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 09 October 2013), May 1736, trial of William Stephens (t17360505-33).**

4. Thomas Grainger . I am Son of the Woman that keeps the Three Nuns. I know Mr. Tanner to be a very honest Man, and one who would not wrong any one of a Farthing. He never gets drunk, nor raves and swears as some others do. As to the Charge that the former Witness mentioned, I have heard it mentioned by his Countrymen, that he bought some Wool, which proved to be stole, but he was honourably acquitted, and every body thought him innocent, and that it was a malicious Prosecution.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 22 October 2013), December 1738, trial of Robert Andrews (t17381206-23).**

5. Coombes. I have seen her beat him several times with the Poker, and have heard him cry out Murder! She came to Mrs. Birch, about a Month before this Fact was committed, in a desperate Passion and said, This Man won't pay my Rent, - I shall be murdered for him. I have seen her go down the Street with him, and as she has gone along with him, she has beat his Head against a Sash-Window, and broke it.

Prisoner. Fye upon you! He went to get a Stick to beat me with; - did he not?

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 23 October 2013), December 1739, trial of Susannah Broom (t17391205-2).**

6. Q. Did you know the prisoner before? - A. Yes, very well by sight, I have often seen him, but I do not know where he lived, I know them all by sight, the other two looked like weavers.
7. MARY READ sworn - I live in the neighbourhood, and have known him from four years of age, and I knew when he went to sea, and he has, ever since he came from sea, been with his father in Montague-street.

Q. Did he always live in Montague-street? - A. Yes.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 23 January 2014), December 1798, trial of JOHN COLLEY (t17981205-22).**

8. I served three or four customers, and I gave them to him at a shop in the Mornington-road—there was no arrangement with me about paying—I was only to deliver them to him—I have seen Daniels there before—he has frequently bought things at our warehouses—old fruit, and paper, and several things, and I have seen him about when he has not bought things—I have seen him frequently with Walklin, and with other people in the place too—I have received money from Walklin at times—I did not see Walklin that day after I got back from the van—I did not see him again at all before I was taken in custody—money has passed between him and me; I cannot call to mind the date, but about two or three weeks before 13th September: on several occasions; I cannot tell the exact amount—I think in one instance 4s. 6d. and on another occasion I think 5s. or 6s.—I have seen Daniels upon one of those occasions—I think the money from Walklin was given me for goods of this description; something similar to this. MR. SLEIGH objected to these matters being gone into. THE COURT would reserve the point if it became necessary.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), January 1861, trial of DANIEL DANIELS (45) THOMAS WALKLIN (24) WILLIAM GILES BOLLEN (32) (t18610107-126).**

9. MARY ANN COLLINS . I live nearly opposite, at no. 9, in the albert-road—that is one door nearer to the butt than no.—I have heard the firing in these grounds many times; repeatedly: on 3d December, and before that, up to as early as July—I have heard bullets several times, but have never seen them—I have been at my

door when I have heard them—they appeared to go into the ground in the albert-road—I have heard that on many occasions.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 05 February 2014), May 1861, trial of JAMES BEASLEY (43) (t18610505-414).

10. RICHARD LOTHIA . (re-examined.) I have frequently seen the prisoner write in the office in the course of the three years he was there.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 06 February 2014), October 1861, trial of ALFRED SIMPSON (37) (t18611021-847).

I. Coordination

1. Mary Stallwood . I know the Prisoner, he has been very often at my House, and owned Sarah Hussey for his Wife: I have been at her Lyings to, she appeared publicly as his Wife, and he owned her as such. I am Sarah Hussey's Aunt, and an honest Girl she is. They have lived three Years together: he is a Frame-Guilder , and has been at my House many and many a Time, and supped there, and always owned her for his Wife.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 15 October 2013), July 1736, trial of Robert Hussey (t17360721-36).

2. William Watts . I have nothing to say in Behalf of this Indictment, the Prisoner is my Tenant, and he lives in a Publick House belonging to me. I have known him 2 Years, and he bore the Character of an honest, harmless Fellow: he paid me 7 l. 10 s. a Year and several Times has paid me Money and took no Receipts.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 17 October 2013), July 1737, trial of John Bullock (t17370706-4).

3. JOHN HEATH sworn. I live in Milk-street, Cheapside; I have known Mr. Bonus between 10 and 12 years, during which time he has always sustained a character unimpeached; I have been connected with him in the course of business, and always found him honest

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 03 December 2013), October 1792, trial of JOHN BONUS (t17921031-56).

4. SOLOMON SHREAVES sworn. I live at Bow, in the parish of Edmonton; I have known Porter from a child; he has been employed by me, and he behaved himself very consistent.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 05 December 2013), November 1794, trial of CHARLES PORTER GEORGE GROVER (t17941111-19).

5. THOMAS TURNER sworn. I live at Edmonton; I have known Grover ever since he was a boy, and never heard any thing against him in my life.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 05 December 2013), November 1794, trial of CHARLES PORTER GEORGE GROVER (t17941111-19).

6. NEWMAN SHERER . I am a glass dealer, of 18, Finch-street, Whitechapel—I have been a customer of Mr. Waddell's many times—I have purchased goods of him almost every week, from him personally—sometimes when I have paid him he has put the money into his pocket; he made no entry while I remained—I have been there sometimes twice a day to buy goods, and always paid him; be always put the money into his pocket, and never gave me an invoice—he said, "Mr. Sherer does not want an invoice for his goods"—I have seen the prisoner there; I heard the prosecutor say to him, "Never mind about booking Mr. Sherer's invoices, he does not want any invoice for these goods"

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 17 February 2014), February 1864, trial of WALTER CRANBROOK WOOD (28) (t18640201-217).

J. Unclassified

1. Susan Spolston . I may say I have known him before he was born, for I knew his Mother before he was born, and know nothing of him but that the Boy's a little short witted.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 09 October 2013), May 1736, trial of Richard Nixon William Dobson (t17360505-32).

2. He **has left** our Service between nine or ten Years; he is still made very welcome whenever he comes to our House, and needed not to have left my Lord's Service **had it not been** his own Fault.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 16 October 2013), December 1736, trial of Francis Windsor James Powel (t17361208-18).**

3. William Watts . I have nothing to say in Behalf of this Indictment, the Prisoner is my Tenant, and he lives in a Publick House belonging to me. I **have known** him 2 Years, and he bore the Character of an honest, harmless Fellow: he paid me 7 l. 10 s. a Year and several Times **has paid** me Money and took no Receipts.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 17 October 2013), July 1737, trial of John Bullock (t17370706-4).**

4. Mr. Gabriel Leaver . I **have done** Business for Mr. Tho. Hill, while the Prisoner was my Clerk ; I am well acquainted with his Hand, and do not believe this to be his Writing. I take the whole Body of the Note to be the Prisoner's own Writing. The Words (Tho. Hill) and the Body of the Note, I take them to be all wrote by the same Hand; and likewise the Endorsement on the Back. I believe them to be the Prisoner's. I **have compar'd** the Note with some Writing of his which I have at Home.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 21 October 2013), June 1738, trial of William Newington (t17380628-26).**

5. Q. **Have you not asked** Norman, before he went to the Grand Jury, what he said before the Magistrate? - A. I cannot say.
Q. Upon your oath. did not you ask Norman some questions, as to the manner in which he swore to this sheep? - A. I don't think I did.
Q. Upon your oath, do you believe you did not? - A. I cannot tell that I **have had** any conversation in that respect.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), April 1796, trial of ISAAC GOWLETT WILLIAM READ (t17960406-34).**

6. Q. **Have** you **not said**, that unless Norman would tell you what he **had swore** before the Magistrate, you would not undertake again to swear to the sheep? - A. No.
Q. Was this sheep dirty or clean when you saw it? - A. Very dirty.

- Q. Have you not said it was so dirty you could not tell whether it was black or white? - A. I said, it had more the appearance of a black one than a white one.
7. Mr. Ally. Q. Have you never heard of a reward for prosecuting a sheep-stealer? - A. No.
- Q. You never heard it from the constable? - A. No.
- Q. Did you never hear it in your life? - A. Who can tell what one has heard in one's life.
- Q. Did you never hear of such a reward? - A. I simply heard something of it to-day.
- Q. Then if Ody has said he did not ask you that, he has told a falsehood? - A. I told him we were bound in a twenty pound bond to prosecute.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 06 January 2014), April 1796, trial of ISAAC GOWLETT WILLIAM READ (t17960406-34).**

8. I am generally home early, about half-past 10—I was not always home at that time—I have always come out before the concert was over—my mother knows how many sweethearts I have had—on my oath the same familiarities have not taken place between me and Cameron as between me and the prisoner—he never took any liberties with me—I have been to two or three concerts with him, but he has never taken any liberty with me

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 05 February 2014), June 1861, trial of ALFRED CULMER (25) (t18610610-460).**

9. JAMES NISBET . I am the landlord of the house—these people lived there six weeks—on 3rd August, 1 had been up two or three times trying to pacify them—she always flew at him, it appears, and he always got her down, and held her by the hands, and she cried out, "Leave go of my hands," and he has said, "I will, if you will be quiet"—I heard the prisoner scream, "Mr. Nisbet! Mr. Nisbet!"

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 24 February 2014), August 1868, trial of GEORGE DAVEY (28) (t18680817-681).**

10. Cross-examined by MR. GRIFFITHS, Q. Was he taken in Union Street? A. No, Commercial Street—I said I came down Union Street—he fell down—he was not knocked down—I went up to him before he got up—he said, "I did not do

anything, I **have done** nothing, what do you want with me?"—after he got up he said, "Let me stop for my cap"—he had no cap on—I did not let him stop.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 25 February 2014), March 1869, trial of FREDERICK TOOMEY (20) CHARLES CHRISTOPHER (26) (t18690301-344).**

11. Court, to the Prisoner. Have you any Witnesses ?

Prisoner. Yes, but I **have had** no Opportunity of sending for them. I happen'd to get out of Newgate before last Sessions, and since I was taken again, I **have been kept** close Prisoner in the Condemn'd Hold, and none of my Friends **have been allowed** to come to me.

Court. Then you **have broke** Jail it seems. The Keeper had reason to take Care of you.

Prisoner. Broke Jail! No, I only went out.

***Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 29 October 2013), May 1732, trial of Mary Bradley, alias Brudenell Elizabeth Holms , alias Pratt (t17320525-4).**